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LOK SABHA DEBATES

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LOK SABHA

Friday, August 24, 1973/Bhadra 2, 1895 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Alleged frittering away of Export Promotion Funds by Indian Cotton Mills Federation

*421. SHRI JYOTIRMOY BOSU: Will the Minister of COMMERCE be pleased to state:

(a) whether it has been alleged from a certain quarter that the Indian Cotton Mills Federation (ICMF) has been frittering away its export promotion funds in various ways which should not normally come under export promotion activities;

(b) whether the ICMF has collected funds to the extent of Rs. 150—160 crores but the actual disbursement by way of export incentives has not been more than Rs. 125 crores;

(c) whether Government inquired into this allegation; and

(d) if so, the findings thereof?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): (a) Government have seen the Press report in the *Economic Times* of 1st August, 1973 to this effect.

(b) Amounts collected so far have been reported to be disbursed, except for a balance of Rs. 2.6 crores yet to be disbursed.

(c) The accounts relating to this part of the ICMF's programmes are subject to Govt. audit. No other inquiry at this stage is contemplated.

(d) Does not arise.

SHRI JYOTIRMOY BOSU: Will the minister kindly tell us whether it is a fact that the estimated collection from premium on foreign cotton has been about Rs. 150 to 160 crores and the actual disbursements by way of incentives has not been more than Rs. 125 crores on the basis of an average of Rs. 25 crores per year?

PROF. D. P. CHATTOPADHYAYA: No, Sir.

SHRI JYOTIRMOY BOSU: May I know whether the Government has come across any complaint that funds mostly have been squandered away for the benefit of certain big millowners under the guise of special incentives, bulk dealing incentives, count-wise incentives, destination-wise incentives, etc.?

PROF. D. P. CHATTOPADHYAYA: We have received no allegation except the one referred to in the press report in the *Economic Times*.

SHRI JYOTIRMOY BOSU: No, Sir. It says,

> "The ICMF has been trying to put pressure on the Government to allot additional funds for incentive payment to the exporters. The ICMT has been earning about Rs. 40 lakhs on an average every year from interest accruement: They have been spending Rs. 20 lakhs and 20 lakhs have been frittered away."

Will the minister give his reactions to it?

PROF. D. P. CHATTOPADHYAYA: The question was whether any other allegations have been received. I said that except the press report no other allegation has been received. About the high figure I have already said "No". About squandering I have said "No". On the contrary, I may add that there are certain difficulties. They are running short of funds.

MR. SPEAKER: He will be pleased only when you say "Yes"; not otherwise.

श्री मधु लिमये : इस वक्त निर्यात को बढ़ाने के लिए तरह तरह की मदद सरकार के द्वारा दी जाती है । सभी लोग जानते हैं कि इस वक्त मिल कपड़े के बारे में अन्तर्राष्ट्रीय व्यापार में तकरीबन भारत का एकाधिकार है । इस वक्त कोई दूसरा देश मैदान में नहीं है । विदेशों में दाम भी बढ़ रहे हैं । तो ऐसी हालत में मैं जानना चाहता हूं कि एक्सपोर्ट क्रेडिट गारंटी कारपोरेशन के द्वारा जो इन लोगों को क्रेडिट दिया जा रहा है, 7 प्रतिशत की सब्सिडाइज्ड दर से आप कर्जा दे रहे हैं, मैं जानना चाहता हूं कि क्या इस वर्ष इस की आवश्यकता है ? और विदेशों में जो ज्यादा दाम मिल रहे हैं क्या विदेशी मुद्रा के रूप में सरकार को भी वह मिल रहे हैं या अंडर-इनवायसिंग हो रही है ?

PROF. D. P. CHATTOPADHYAYA: The question of over-invoicing and under-invoicing is too general a question to be answered in this particular question. About the other things in 1972-73 the cash assistance provided to textile export included the government's contributions was only Rs. 7.75 crores. The figure reveals that gradually Government's contribution to the cash assistance in this respect in decreasing. In 1968-69 the ratio was 2:1; now it is 3:1. Only one-third is contributed by the Government now whereas it used to be half. This was in the larger interest of export promotion and foreign exchange earning.

श्री मधु लिमये : मेरे प्रश्न को यह समझते नहीं हैं और उत्तर भी नहीं देते हैं । मैं ने यह कहा था कि चूंकि अंतराष्ट्रीय व्यापार में इस वक्त कपड़े के बहुत ज्यादा दाम मिल रहे हैं और कोई स्पर्धा में प्रतियोगिता में नहीं हैं तो एक्सपोर्ट क्रेडिट गारंटी कारपोरेशन के द्वारा जो कवर (संरक्षण) दिया जाता है उस का दुरुपयोग हो रहा है । 7 प्रतिशत की सब्सिडाइज्ड दर से बैंकों के द्वारा उन को अनापसनाप कर्जे दिए जा रहे हैं, इस की आवश्यकता क्या है ? हर चीज का इन को ख्याल करना चाहिए और अपनी नीतियां को बताना चाहिए ।

PROF. D. P. CHATTOPADHYAYA: The information supplied is studied information. It is in the interest of export promotion.

SHRI MADHU LIMAYE: It is a sellers' market.

PROF. D. P. CHATTOPADHYAYA: No, it is not.

Stiff Competition faced by India's Jute Goods in World Market due to Entry of Synthetics

\+

*423. SHRI SARJOO PANDEY:
SHRI B. K. DASCHOWDHURY:

Will the Minister of COMMERCE be pleased to state:

(a) whether Indian jute goods are meeting with stiff competition in world market owing to the entry of synthetics; and

(b) if so, what steps are being taken to meet the challenge to India's jute exports from synthetics?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): (a) Yes, Sir.

(b) Export duty on carpet backing has already been reduced. Reduction of duty on other items is under review. Efforts to step up research and development on cost reduction, improvement of performance levels and evolution of new products as well as improve yield of raw jute are under way.

श्री सरजू पांडे : अध्यक्ष जी, माननीय मंत्री जी ने जूट के सम्बन्ध में जो नये सुझाव दिये हैं, मैं जानना चाहता हूं कि उस से हमारे इस व्यापार पर क्या प्रभाव पड़ा है ?

दूसरी बात—दुनिया के किन देशों से कड़ी स्पर्धा हो रही है ? सिन्थेटिक्स माल के आने से हिन्दूस्तान के व्यापार को कितने रुपये का हर साल नुकसान हो रहा है ?

PROF. D. P. CHATTOPADHYAYA: It is true that Indian jute goods have been facing for quite some time stiff competition in the face of synthetics, particularly, in the Western world. But as regards the second question as to what extent the reduction of duty has influenced our exports, I might say that, as a result of this reduction, as against an earlier average export of 10,000 tonnes per month of carpet backing, the exports have gone up to around 15,000 tonnes per month.

श्री सरजू पांडे : मैंने पूछा था कि इस से कितनी धनराशि का नकसान हो रहा है—लेकिन आप ने जबाव नहीं दिया । मैं जानना चाहता हूं कि इस स्पर्धा के कारण, जो सिन्थेटिक माल दुनिया के बाजारों में आ रहा है, उस से कितने रुपये का नुकसान हो रहा है ? सरकार कौन सा ऐसा माल तैयार करा रही है जिस से उन का मुकाबला किया जा सके, क्या कोई ऐसी योजना सरकार के विचार में है ?

PROF. D. P. CHATTOPADHYAYA: The quantified picture of loss or gain year-wise is very difficult to give because it varies depending upon other goods prevailing, prices the competitive items like synthetic goods abroad, and also depending upon our cost of production and duty thereon. So, about that part, we can say it in a very general way. About the other part, to improve the competitiveness of the product in the world market, we are modernising our jute mills and we are also putting more inputs in the field of research and development.

SHRI B. K. DASCHOWDHURY: I find, there is an apparent contradiction in the original reply of the hon. Minister and the reply given in reply to a supplementary put by my hon. friend. In the original reply, in reply to part (a) of the Question, the hon. Minister says that Indian jute goods are meeting with stiff competition in world market and, subsequently, he says, after giving certain incentives and reducing the export duty on carpet backing, the exports have gone up. That simply shows that whatever bogey be raised regarding the question of stiff competition in world market with jute goods, either raw jute or manufactured jute goods, as a matter of fact, it is not so.

I would like to know from the hon. Minister whether it is a fact that while in 1967-68, India's total share in the world market of jute and jute goods was to the extent of 57 per cent, subsequently, it came down to 51 per cent and, in the last 2-3 years, it has gone up to 57 per cent. I would also like to know from the hon. Minister what further steps, apart from the scheme of modernisation, the Government intend to take in order to maximise the exports of jute goods and whether the Government will also consider to canalise exports in order to earn more foreign exchange.

PROF. D. P. CHATTOPADHYAYA: Besides the measures that I have re-

ferred to before for increasing the competitiveness of our jute goods abroad, we have also decided that a cess would be imposed on the industry. That will be a development cess and the funds that will be raised through this cess will also be augmented further by the Government's contribution. About the canalisation of exports, at this stage, we are not thinking of.

SHRI BISWANARAYAN SHASTRI: May I know from the hon. Minister whether, in view of the fact that Indian jute goods are facing stiff competition from the synthetic abroad, the Government will take steps for diversification of production, such as, fine variety of carpets and other things and will also find new export markets apart from traditional markets?

PROF. D. P. CHATTOPADHYAYA: When I spoke of modernisation of jute mills, I had in view producing more lighter carpet backing which will be more competitive with synthetics. As regards the question of diversification, as I have already said, potentially it is there because modernisation reveals that out of jute fabrics, we can have it and we are looking into those aspects.

SHRI INDRAJIT GUPTA: Competition from synthetics is nothing new I would like to know from the hon. Minister whether it is not a fact that this problem has been aggravated in recent years, particularly in 1971, by the fact that, when the jute mills of Bangladesh were closed during that year, our jute mill-owners in this country used that opportunity to push up prices to unconscionable limits in order to earn quick profits and Government did nothing to stop them. That led to further entry of synthetics into the market at our expense. If that is so, then may I know from him whether he considers it justified that these powerful jute mill-owners who are organized in the Indian Jute Mills Association should be given now the benefit not only of reduction in export duties but also additional subsidies which they are demanding. What is the Government's view of that matter?

PROF. D. P. CHATTOPADHYAYA: It is a fact that the Bangladesh disturbance year was a very good year for the jute industry, but to what extent I cannot say in terms of arithmetic..

SHRI INDRAJIT GUPTA: Do you not know the prices which were quoted in 1971? The carpet backing was sold at a premium of Rs. 1400 per tonne.

PROF. D. P. CHATTOPADHYAYA: I was only saying that I could not give it in terms of precise arithmetic. I am coming to the second part of his question.

The figures show that our cost of production of certain elements, the cost of primary carpet backing, for example, have remained in terms of price like this. It was 21 cents per sq. yard in 1965; it has gone up to 23 cents in 1972, whereas its competitiors have brought down the cost of production from 22 cents to 18 cents. So, the synthetic rival of our carpet backing was at a disadvantage of one cent more than the primary carpet backing in 1966. But in 1970 it has an advantage of three cents. It is much less than the cost of production. Apart from other things, they have succeeded in bringing down the cost of production whereas we have not. And in that context I have emphasized the necessity of modernisation and bringing down the cost of production.

SHRI INDRAJIT GUPTA: What about the second part, whether you consider it justified now to give them export duty reduction as well as the subsidy which they are demanding?

PROF. D. P. CHATTOPADHYAYA: The question of subsidy is being related to another question also, giving fair price to the jute growers and the

fact that raw materials account for 55 per cent of the total cost of production of the finished goods.

SHRI DINESH CHANDRA GOSWAMI: May I know from the hon. Minister whether it is a fact that the bogey of competition of jute goods is not new, it is being raised from interested quarters from the time of British? But this bogey is more apparent than real because of the dearth of petroleum products, and synthetics are not in a position to compete with jute products provided Government is prepared to rationalise its policy regarding export of synthetics.

PROF. D. P. CHATTOPADHYAYA: The bogey is not unjustified and unreal. It is very much real. I have quoted figures of carpet backing to show that our goods have become relatively more uncompetitive and the same will be borne out by the prices of hessians. I can quote figures which will show that in 1966 the per sq. yard price was 14.1 cents and the competing good's price was 20 cents but in 1972 our goods are priced at 22 cents whereas theirs are priced at 14 cents. So we have lost competitiveness immensely.

SHRI DINEN BHATTACHARYYA: The hon. Minister said that the export duty has been reduced as a result of which, our exports have gone up to 15,000 tonnes from 10,000 tonnes. May I know from the hon. Minister as to what is the total amount that has been given as reduction in the export duty? And what are the specific help and assistance the Government of India is rendering to the jute mill-owners who are big barons, by way of modernisation of the jute mills?

PROF. D. P. CHATTOPADHYAYA: We have given fiscal relief to the extent of Rs. 6 crores or something like that and the benefit that will accrue to our Exchequer in terms of foreign exchange will be to the tune of Rs. 30 crores, nearly five times more and, the question of giving some sort of help to the mills is related to the question of modernisation. If you do not modernise, our goods will not be competitive and, therefore, we cannot compete in the world market.

SHRI JYOTIRMOY BOSU: Who told you that?

SHRI SAMAR GUHA: Although the hon. Minister is not prepared with the total arithmetic about the loss of our jute products due to introduction of synthetics in the international market, I want to know from the hon. Minister whether he is in a position to give us an approximate idea of the losses incurred by our jute products in the international market during last year on account of the introduction of synthetic products.

Secondly, I also want to know from the hon. Minister whether, as the fate of both India and Bangla Desh are completely interlinked in regard to jute production and also the international market for jute, this problem of introduction of synthetic products in the international market has been discussed with the Bangla Desh Government, and if so, what steps have been taken thereof?

MR. SPEAKER: How does Bangla Desh come here? It is a simple question about carpet backing.

PROF. D. P. CHATTOPADHYAYA: As I said because of reduction in export duty, our exports have gone up from 10,000 tonnes to 15,000 tonnes and because of the recent further reduction granted by the Finance Ministry it has gone further up by 3,000 tonnes to 18,000 tonnes. That shows that it is picking up because of fiscal relief. If we had not given this relief, then we would have incurred losses to this extent.

SHRI SAMAR GUHA: He has not replied to my second part of the question.

MR. SPEAKER: That is not relevant.

PROF. D. P. CHATTOPADHYAYA: The Speaker has ruled it as not relevant.

MR. SPEAKER: You cannot ask him to reply on behalf of Bangla Desh.... (*Interruptions*)

SHRI SAMAR GUHA: They have entered into a treaty with Bangla Desh regarding jute also. Sir, you may disallow me, but please do not say that it is irrelevant.

SHRI KRISHNA CHANDRA HALDER: Mr. Indrajit Gupta and Mr. Dinen Bhattacharyya both said that the jute mill-owners who are monopoly capitalists make huge profits by indulging in mal-practices of under-invoicing, etc. Sir, in order that our jute goods may face this challenge from the synthetics in the international market successfully, I want to know from the hon: Minister: Is he going to nationalise the jute industry including the export trade of jute immediately?

PROF. D. P. CHATTOPADHYAYA: About unwholesome practice I am aware of and I have said about it already. The question of nationalisation does not arise at this stage.

श्री यमुना प्रसाद मंडल : मंत्री जी ने अभी अपने उत्तर में बताया कि जूट इण्डस्ट्री के बिना माडर्नाइजेशन के हम कम्पिटीशन का मुकाबला नहीं कर सकते हैं ऐसी हालत में क्या मंत्री जी बतायेंगे कि कितनी मिल्स को अभी तक उन्होंने माडर्नाइजेशन के लिए सहायता दी है और...

अध्यक्ष महोदय : आप नोटिस देंगे तभी तो वे बतायेंगे। यह तो जनरल क्वैश्चन है इसको पढ़िये।

श्री यमुना प्रसाद मंडल : मंत्री जी ने उत्तर दिया है उससे यह निकलता है।

अध्यक्ष महोदय : इसके लिए अलग से नोटिस देनी चाहिए। बिना नोटिस के मिनिस्टर कैसे तैयार होकर आयेंगे ?

Rise in Debt Service Payments

*424. SHRI RAM PRAKASH: Will the Minister of FINANCE be pleased to state:

(a) whether India's debt service payments have risen twice as fast as export earnings;

(b) if so, the reasons therefor; and

(c) the remedial measures proposed?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) While India's debt service payments on her external debt have been rising, it is not correct to say that they have risen twice as fast as export earnings.

(b) The reasons for the mounting debt service burden are that bulk of India's external assistance had been contracted on hard terms during the earlier part of the developmental effort and also the grace periods on the earlier loans are now expiring.

(c) We are emphasising the measures to attain self-reliance which would reduce our dependence on external aid through both export promotion and import substitution.

श्री राम प्रकाश : क्या सरकार कोई कदम उठा रही है जिससे हमारा देश इस मामले में सेल्फ-सफीशिएन्ट हो जाये ?

श्री यशवन्त राव चव्हाण : बहुत कोशिश कर रहे हैं।

SHRI G. VISWANATHAN: What is the amount of our debt service repayments per annum compared to our exports?

SHRI YESHWANTRAO CHAVAN: From 1961-62 onwards I have some figures and I have just mentioned about it as to what percentage of export earnings are there. Debt servicing of 1961-62 was of the order of 21 per cent. It is export earning. In 1967-68 it was 26.6 per cent and in 1971-72 it was 29.8 per cent. In 1972-73 it is 27.1 per cent.

Fresh Trade Agreement Between India and U.S.A.

*425. KUMARI KAMLA KUMARI: Will the Minister of COMMERCE be pleased to state:

(a) whether U.S.A. and Canada have shown new interest in fresh trade agreement between U.S.A. and India; and

(b) if so, the broad outlines of their proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). No, Sir. However, a Canadian team is expected to visit India sometime in November 1973 to review *inter alia* bilateral trade and economic relations between the two countries.

KUMARI KAMLA KUMARI: No supplementary.

MR. SPEAKER: You are very kind to the Minister.

श्री शंकर दयालसिंग : अमरीका और कनाडा के साथ जो भारत की व्यापारिक संधियां हुई हैं, प्रधान मंत्री की जो यात्रा पिछले दिनों कनाडा की हुई, उसके बाद उन में कौन कौन से परिवर्तन आए हैं ? इस समय कनाडा के एक वरिष्ठ मंत्री हमारे यहां आए हुए हैं । मैं जानना चाहता हूं कि भारत के साथ कौन सी नई व्यापारिक संधियां उनके आने से कनाडा के साथ हो रही हैं ?

अध्यक्ष महोदय : कहां पहुच गए ?

श्री शंकर दयाल सिंह : पूरे डिटेल में इसको लिया है हमने ।

SHRI A. C. GEORGE: Sir, at present there are no trade agreements existing between the United States and India and Canada and India.

Regarding the second part of the hon. Member's question, as a result of the visit of our Prime Minister to Canada, it was suggested that we must strengthen the bonds of trade and commerce between these two countries. And a Trade Mission is expected from Canada in November, 1973-within two months. It is always our intention to increase trade with United States and Canada because, even as it stands at present, America is our second biggest trading partners in the world. As regards Canada also, they are supplying us strategic materials. And our trade is growing every month.

MR. SPEAKER: The Canadian Minister is welcome here.

PROF. MADHU DANDAVATE: There was a news some time ago that our Government is to export groundnuts to Soviet Russia. As a result of that, the port and dock workers' federation had declared a boycott on putting the groundnuts in the ship. As a reaction to that..

MR. SPEAKER: You have started from a wrong point.

PROF. MADHU DANDAVATE: From the wrong point I can come to the right point.

MR. SPEAKER: Come to the right point and finish it at the right time.

PROF. MADHU DANDAVATE: As a result of the reaction, whether Soviet Russia would be willing to enter into some sort of an agreement with India in which....

MR. SPEAKER: I am sorry this is not relevant to the question. I am not allowing it. This is not a relevant Question. Q. No. 426, Mr. Shashi Bhsushan.

Action taken Against Persons Arrested in Delhi for Smuggling

*426. SHRI SHASHI BHUSHAN: Will the Minister of FINANCE be pleased to state:

(a) the total value of smuggled goods confiscated by Government during the last three years in Delhi and the number of persons arrested in this connection;

(b) the number of persons who were not prosecuted but the decision was taken against them by the Officers of the Department; and

(c) the number of cases where a person was arrested on many occasions on the charge of smuggling, but he was never prosecuted and the decision was taken about him departmentally?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) The total value of smuggled goods confiscated by the Customs in Delhi during 1970, 1971 and 1972 is Rs. 55 lakhs. 53 persons were arrested in this connection.

(b) Out of the arrested persons referred to at (a) above prosecution was not considered necessary in the case of 2 persons who were proceeded against departmentally only.

(c) Nil. Both the persons referred to above were arrested for the first time only.

श्री शशि भूषण : दिल्ली के बाजारों में आप चले जाए आपको करोड़ों रुपये का तस्करी का सामान जैसे कैमरे, कासमैटिक्स कपड़े, सिगरेट, सोना का सामान तथा दूसरी चीजें पटरियों पर या दूकानों पर भरी पड़ी मिलेंगी । उसके बावजूद भी तीन साल में सिर्फ पचास लाख रुपये का सामान पकड़ा गया और 55 आदमी पकड़े गए। इन में से दो के बारे में कहा गया कि वे पहली बार पकड़े गए थे । जो पहली बार गिरफ्तार होते हैं वे बाद में दूसरी बार भी स्मगलिंग का कैरियर बना लेते हैं । मैं जानना चाहता हूं कि बड़े स्मागलर कितने पकड़े गए? लार्ड आफ जस्टिस के पास केस भेजे नहीं जाते हैं और खुद ही कैसिस विभागीय के फैसले कर लेते हैं और फैसला करने वाले ला आर्सिज स्मगलर्ज से सीधा सम्बन्ध रखते हैं । मैं जानना चाहता हू कि देश भर में इस प्रकार के कितने कैसिज पैंडिंग हैं जिन को सीमा शुल्क विभाग के ला आफिसर्स ने न्यायालयों में नहीं भेजा है और कितनों में खुद ही फैसला देने की सलाह दिया है । स्मग.लग तेजी के साथ बढ़ रही है । इसको रोकने के लिए और कौन से ठोस कदम आप उठा रहे हैं?

SHRI K. R. GANESH: Sir, I think the hon. Member's observations could be classified into three parts. Firstly, he has indicated that there is smuggling in Delhi bazars and things are being sold. It is a fact. We have never denied that. Smuggling is there. And it is a serious menace. We have to take steps to see that it is stopped. Various steps have been taken. From time to time I have informed the Parliament about it. The Intelligence Wing has been strengthened. Only recently the Parliament passed the Customs, Gold (Control) and Central Excises and Salt (Amendment) Bill. Various other steps have also been indicated. He has asked a specific question about the number of cases throughout the country. He has also asked for information regarding the number of persons that were arrested and the prosecutions that have been launched. I would require notice of this question. I can supply the information to the hon. Member.

श्री शशि भूषण : अरबों पये का स्मगलिंग देश में हो रहा है । हमारी पूरी आर्थिक जीवन परेलाइज हो चकी है । मैं सीधा सवाल

करना चाहता हूं । इन स्मगलज के खिलाफ "ब्लडी एकशन" आप लेने को तैयार हैं ? अगर ऐसा आप नहीं करते तो क्या यह सही नहीं है कि आपको ब्लडी रेवोल्यूशन का सामना करना पड़ेगा ?

Bloody action against smugglers.

MR. SPEAKER: May I know what he means by 'bloody action'?

श्री शशि भूषण : सख्त कार्रवाई करने के लिए तयार हैं या नहीं हैं ? अगर इसी तरह से आप धीरे-धीरे चलते रहे तो कभी तस्कर व्यापार खत्म नहीं होगा ।

MR. SPEAKER: Let him not be sentimental. Let him ask a practical question.

श्री शशि भूषण : सख्त से सख्त कार्रवाई करने के लिए तैयार हैं ?

MR. SPEAKER: Bloody action means 'by cutting the throat'.

श्री लाल जी भाई : जो तस्करी करने वाले लोग हैं वे जब पकड़े जाते हैं तो ऐसे केसिस को गैर जमानती केसिस घोषित करने की आपके पास कोई योजना है ?

अध्यक्ष महोदय : मैजिस्ट्रेट कर दे तो वह क्या करे ?

श्री अटल बिहारी वाजपेयी : कानून का सवाल है । कानून में ऐसा संशोधन किया जा सकता है कि नान-बेलेबल इन केसिस को करार दिया जाए ।

श्री लाल जी भाई : क्या आप ऐसी व्यवस्था रखने के लिए तैयार हैं कानन में ताकि उनकी जमानत न ली जा सके ?

SHRI K. R. GANESH: Only recently, that is, about a week back, on the basis of the Law Commission's recommendations, the Customs Act, the Central Excises and Salt Act and the Gold Control Act were strengthened, as far as the question of punishment and the question of admissibility of documents and evidence were concerned. As regards this question of making the offence non-bailable, I am not sure whether the Law Commission has recommended this. I shall have to look into it and find out.

श्री राम सहाय पांडे : क्या यह सब नहीं है कि वित्त मंत्रालय ने बहुत पहले एक बड़ी कम्प्रिहैंसिब स्कीम बनाई थी ताकि स्मागलिंग को रोका जा सके जैसे हैलीकाप्टर या छोटी छोटी नामों से काम लिया जाए ताकि पडोसी देश जैसे डुबाई है जो स्मागलिंग सैंटर है, जहां से गोल्ड आता है, उस पर नजर रखी जा सके ? इस तरह की स्कीम अगर बनाई है तो उसका क्या परिणाम निकला है और अगर नहीं बनाई तो क्यों नहीं बनाई ?

SHRI K. R. GANESH: The hon. Member is referring to the acquisition of very fast-moving craft for the purpose of meeting the smugglers' menace, particularly from Dubai and Kuwait. Very recently, certain decisions have been taken, and I think that within one week, orders will be placed.

SHRI R. S. PANDEY: Since he says that decision has been taken what is the decision?

SHRI K. R. GANESH: The decision cannot be indicated, because it would be absolutely dangerous to do so. I seek your protection, Sir. It would be very dangerous to indicate the kind of decisions taken. I do not know why the hon. Member is asking for this.

SHRI G. VISWANATHAN: Is it not a fact in many of these anti-smuggling raids, the smugglers get previous intimation from the depart-

ment with the result that even honest officers are unable to take any action? What action is the Ministry or the department taking against those officials?

SHRI K. R. GANESH: I will not agree with this general observation. Raids are conducted effectively. Otherwise, the quantity of seizures that is there would not have been there and the persons arrested thereon would not have been arrested. The continuing number of raids that are going would not also have been possible. May be there are certain cases here and there of the type mentioned. But whenever it comes to the notice of the department, action will be taken and action should be taken.

श्री डी० एन० तिवारी : अध्यक्ष महोदय, यह तथ्य है कि सरकार सजग और सतर्क है और स्टेप्स ले रही है और यह भी तथ्य है कि इतने स्टेप्स लेने के बाद भी स्मगलिंग बढ़ता जा रहा है। जैसी कि कहावत है, "मर्ज बढ़ता गया ज्यों ज्यों दवा की"। मैं यह जानना चाहता हूं कि सरकार ने जो नये नये स्टेप्स लिये हैं, उन का क्या परिणाम हुआ है—स्मगलिंग कुछ घटी है या बढ़ी है और अगर वह घटी नहीं है, तो सरकार क्या स्टेप्स लेना चाहती है, जिस से यह मर्ज घटे।

अध्यक्ष महोदय : मिनिस्टर साहब ने अभी बताया है।

श्री डी० एन० तिवारी : उन से तो स्मगलिंग घट नहीं है।

अध्यक्ष महोदय : आनरेबल मेम्बर का कहना है कि मर्ज की कोई बात नहीं है, लेकिन वह बढ़ना नहीं चाहिए।

श्री क० आर० गणेश : उस के लिए तो लगातार कोशिश की जा रही है कि वह बढ़नी नहीं चाहिए।

SHRI M. RAM GOPAL REDDY: Several goods are illegally smuggled into the country and thereby we are losing taxes on these goods. We are confiscating some goods also. Do so the cost of the confiscated goods equal the amount of tax we are losing?

MR. SPEAKER: He can calculate it himself?

SHRI K. R. GANESH: The only answer I can give is that according to the Kaul Committee's report, about Rs. 120 crores of foreign exchange is required for financing smuggling....

SHRI G. VISWANATHAN: Financing smuggling?

SHRI K. R. GANESH: That is the quantification.

MR. SPEAKER: The smugglers finance it.

SHRI G. VISWANATHAN: It is still worse.

SHRI ATAL BIHARI VAJPAYEE: Finance Ministry is financing smuggling?

MR. SPEAKER: Order.

SHRI K. R. GANESH: My point is that the amount of foreign exchange that is required for financing smuggling has been quantified.

MR. SPEAKER: Foreign exchange is required for smuggling—as if it goes from the government treasury: (*Interruptions*).

SHRI K. R. GANESH: There is a wide gap between the seizures and the outgo of foreign exchange.

SHRI INDRAJIT GUPTA: I should like to pursue the point which was mentioned casually by Mr Shashi Bhushan. It is a fact that not only in Delhi but in other major cities also, such as Calcutta or

Bombay, we find that in many shops and even on pavements as well, there has been a display of a large number of goods which have obviously been smuggled, whether they are radios, transistors, perfumes, hytons or razor blades. In view of the fact that this type of commodity is supposed to be distributed after seizure by the customs authorities by sale through co-operative societies this type of practice to which I am referring must be completely illegal and unauthorised. If that it so why is it being permitted to go on and why is it not possible to trace back from the people who are openly selling these goods the original parties, the smugglers who are involved in selling these things in the open market. How can on open market flourish at all in this trade?

SHRI K. R. GANESH: Apart from individual actions that have been taken recently mass raids have been made in Bombay and Calcutta. The hon. Member is right that when these goods are sold in the open market and when they are known to be imported goods the source from which these goods are supplied should be located. That is why recently it had been decided to conduct mass raids in various places where these goods are to be found.

श्री टी० सोहन लाल : दिल्ली की मार्केट्स में ऐसा माल खुले रूप में बिकता है और सरकारी अधिकारी और उन की पत्नियां उन चीजों को खरीदती हैं। क्या सरकार को इस बात का पता है कि विदेशी माल खुले-आम दुकानों पर मिलता है और उस के अपने अधिकारी उस को खरीदते हैं ; अगर हां, तो उस ने इस बारे में क्या कदम उठाये हैं और वह क्या कदम उठाने जा रही है ?

अध्यक्ष महोदय : इस प्रश्न का उत्तर दे दिया गया है।

श्री टी० सोहन लाल : जब सरकारी अधिकारी ही उन चीजों को खरीदते हैं, तो सरकार ने उस के लिए क्या उपाय किया है ?

बालयोगेश्वर के पास के बरामद हुई वस्तुओं के बारे में जांच

†458 **श्री मूल चन्द डागा :**
श्री हुकम चन्द कछवाय :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बालयोगेश्वर से संबंधित कथित तस्करी के मामले की जांच इस बीच पूरी हो गई है ; और

(ख) यदि हां, तो उस के क्या परिणाम निकले और उस पर सरकार का विचार क्या कार्यवाही करने का है ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI K. R. GANESH): (a) and (b). Enquiries into smuggling case in respect of Balygoeshwar have been completed by the Customs authorities. On the basis of the enquiries made, show-cause notices were served on Shri Prem Pal Singh alias Balygoeshwar and two other persons on 30th December 1972 asking them to show cause why jewellery, watches and foreign currency valued approximately Rs. 2.57 lakhs, seized at Palam Airport on 7th November, 1972 should not be confiscated. The parties concerned had replied to the Show Cause Notices. The defence counsels of the persons concerned had requested for time till 4th August, 1973 for filing written arguments. However, the counsel for Shri Prem Pal Singh Rawat alias Balygoeshwar requested on 30th July, 1973 that he should be permitted to cross examine Shri Behari Singh one of the persons

charged in this case, before filing the written arguments. Shri Behari Singh is a person concerned in this case and objected to his being cross-examined as he cannot be compelled to be a witness against himself. The request for his cross examination has, therefore, been turned down. After the written arguments are filed, the case will be adjudicated.

श्री मूलचन्द डागा : अध्यक्ष महोदय, 7 नवम्बर 1972 को यह घटना हुई और आप ने आज नौ महीने के बाद क्या उत्तर दिया है कि किसी वकील ने रिटेन आर्ग्यूमेंट पेश नहीं किया

The counsel of the accused persons have not submitted their written arguments. Therefore your department is giving adjournment after adjournment.

मेरी समझ में नहीं आया कि 2 लाख कितने हजार पौंड की तो पड़ियां थीं, कितने जवाहरात थे और कितनी विदेशी मुद्रा कौन कौन से देश की थी और ह बालयोगेश्वर जो भगवान थे वह कहां गायब हो गए ? हिन्दुस्तान में हैं या नहीं ? वह कहां गए ?.. (व्यवधान) ....आप मेरे प्रश्न का उत्तर दीजिए। आप क्या उत्तर दे रहे हैं ? मुझ आप ला बताइए, कस्टम डिपार्टमेंट के ला में या कहीं के ला में यह कहां दिया है ? आप ने उस का जवाब दिया है 30-12-72 को। उस के बाद सात आठ महीने गुजर गए। तो उस जवाब के बाद क्या हुआ ? बालयोगेश्वर साहब कहां चले गए ? 2 लाख 57 हजार के मार्ल का शो काज नोटिस दिया आप ने। शो काज नोटिस देने के बाद क्या हुआ ? देश में स्मलिंग नहीं रुक सकती जब तक कि सरकार मजबूत और सख्त कदम उन लोगों के खिलाफ नहीं लेती। कस्तम वाले तो सारे मालदार हो गए। जितने हैं उन के मकान बन गए। यह है क्या तरीका..(व्यवधान)..प्रश्न में यह पूछ रहा हूं कि उन लोगों को रिटेन आर्ग्यूमेंट देने का मौका क्यों दिया गया ? Why the opportunity was given?

SHRI K. R. GANESH: The adjudication proceedings are quasi-judicial processes. This process has to be gone through. The party is trying to stall the proceedings; there is no doubt about it. I am not happy with this. It is for the appropriate authority which is a quasi-judicial authority, to take a proper view of these matters .

श्री मूलचन्द डागा : जानना चाहता हूं कि कितने मूल्य की घड़िया, कितने मूल्य के जवाहरात और कितने मूल्य की विदेशी मुद्रा किस किस देश की थी और यह किसकी कस्टडी से किलना और वह बालयोगेश्वर कहां हैं ?

SHRI K. R. GANESH: We have given this information several times

श्री मूलचन्द डागा –: मेरे प्रश्न का उत्तर तो आया नहीं।

अध्यक्ष महोदय : वह कह रहे हैं कि वह हाउस में पहले बता चुके हैं।

श्री मूलचन्द डागा : कब बताए गए, मुझे नहीं पता है। वह बताएं कि उनसे जमानत ली गई है बालयोगेश्वर से या नहीं और वह कैसे चले गए ?

अध्यक्ष महोदय कितनी लम्बी लिस्ट है ?

श्री के० आर० गणेश : मेरे पास वह लिस्ट है, मैं बता सकता हूं।... (व्यवधान) These facts we have given several times. I can give them against: Jewellery valued at Rs. 43,000 approximately; 24 wrist watches valued at Rs. 18,000; foreign currency including US dollars, pound sterling Swiss francs totalling an amount equivalent to Rs. 1,96 lakhs; traveller's cheques in US dollars in the name of Behari Singh Rs. 20,300 and in the name of Prem Pal Singh Rawat totalling an amount equivalent to Rs. 25,700.

श्री एस० एम० बनर्जी : अध्यक्ष महोदय मैं एक चीज पूछना चाहता हूं मंत्री महोदय से कि जब इन के खिलाफ यह कैसेज चल रहे हैं और काफी चीजें बरामद भी इन के पास से हुई तो बालयोगेश्वर जी को दोबारा पासपोर्ट क्यों दिया गया या पासपोर्ट उन का जब्त क्यों नहीं किया गया ? किस तरीके से आखिर वह विदेश चले गए जब कि यहां मुकदमे चल रहे हैं और जब कि दूसरे लोगों के पासपोर्ट रोके जाते हैं ? मैं जानना चाहता हूं कि इसकी जिम्मेदारी किस की है और रिजर्व बैंक ने इन को पी फार्म कैसे दिया ?

SHRI K. R. GANESH: Balyogeshwar was allowed to go abroad by the Enforcement Directorate on the advice of the Law Ministry. According to them, no case was made out against him under the Foreign Exchange Regulation Act. So, he was allowed to go on a personal bond of Rs. 1 lakh.

श्री रामसहाय पांडे : श्रीमन्, यह बड़ी विडम्बना की बात है कि रावतजी ने अपने आप को भगवान डिक्लेयर किया इस देश में और देश-प्रदेश में तथा अन्तर्राष्ट्रीय बहुत से चेले उनके हैं। जो आदमी अपने आप को भगवान घोषित करता है वह यहां पकड़ा जाता है स्मगलिंग के केस में और सबसे बड़े दुख और अचरज की बात यह है कि वह फिर यहां से गायब हो जाए, अन्तर्ध्यान हो गए। देश को बड़ा भारी दुख और चिन्ता इस की है कि जो भगवान, बोगस भगवान जो स्मगलिंस में पकड़ा गया, उसके संबंध में ला मिनिस्ट्री ने कैसे ऐडवाइज किया कि वह यहां से चले जाय ?

How did the Law Ministry advise that he should be permitted to go out of the country?

MR. SPEAKER: Order, order. Please sit down.

आपने इतने जोर से प्रश्न किया है कि वह कुछ समझ में नहीं आया। अगर उनकी समझ में आया हो तो ठीक है। अब बैठिए आप।

SHRI R. S. PANDEY: Under what circumstances the Law Ministry have permitted Rawat, the so-called Bhagwan, to leave the country since a case of smuggling was pending against him?

MR. SPEAKER: He is an individual.

भगवान को बीच में क्यों खींचते हैं। भगवान की क्या बात है ? अगर भगवान पर सवाल करना है तो नहीं हो सकता। इन्डिविडुअल पर हो सकता है।

SHRI K. R. GANESH: I have already replied that he was permitted to go by the Enforcement Directorate, under the advice of the Law Ministry, on a personal bond of Rs. 1 lakh. His passport could not be held back under the passport Rules unless he is prosecuted in a court of law.

SHRI R. S. PANDEY: Sir, we want a full debate on this question.

MR. SPEAKER: May I request him not to interrupt and create noise in the House?

SHRI JYOTIRMOY BOSU: The hon. Minister has just now said that he was allowed to go out of this country by a personal bond worth Rs. 1 lakh. But he must be aware that in America this person was insulted and humiliated by a pie being thrown at his face. May I know in how many cases such bonds have been taken? Will you kindly give the names of such persons for the last one year?

SHRI K. R. GANESH: For this I require separate notice.

SHRI G. VISWANATHAN: There is no such case.. (*Interruptions*).

SHRI INDRAJIT GUPTA: When a case is pending against a citizen, he is not permitted to go abroad. This is the law of the land.

SHRI G. VISWANATHAN: Perhaps everyone, including the lawyers connected with this, have been paid in American dollars.

MR. SPEAKER: Next question.

Forecasting India's Exports on a Quarterly basis by Trade Development Authority

*429. SHRI BANAMALI PATNAIK: Will the Minister of COMMERCE be pleased to state:

(a) whether the Trade Development Authority has been asked by Government to undertake the task of forecasting India's exports on a quarterly basis; and

(b) how far it is expected to help in reversing the falling trends in exports?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) With the forecast of India's likely exports in the ensuing quarter available, accompanied by the highlighting of problems faced by the exporters, the Government would be in a position to consider in good time all possible measures for averting a decline in export if the forecast points to such a decline.

SHRI BANAMALI PATNAIK: This was intended to help the exports of small-scale and medium-scale Industries. The Board is constituted with persons who are connected with heavy and big industries. How does it make recommendations to help small-scale and medium-scale industries?

SHRI A. C. GEORGE: One of the main activities of the Trade Development Authority is to identify non-traditional products specially in the small-scale sector so that expertise might be furnished to them to increase their exports.

SHRI BANAMALI PATNAIK: What are their past recommendations and what steps have been taken?

MR. SPEAKER: The question Hour is over.

SHORT NOTICE QUESTION

Strike by Electrical Engineers in U.P.

2. SHRI NAWAL KISHORE SHARMA:
SHRI JYOTIRMOY BOSU:

Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether the Electrical Engineers in Uttar Pradesh have gone on strike;

(b) if so, the reasons therefor; and

(c) the steps being taken by Government to normalise the supply of electricity in the State for domestic and industrial use?

THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO): (a) Some Engineers of the U.P. State Electricity Board have gone on stay-in strike;

(b) The stay-in strike is stated to be in support of their demands (i) for parity to functional and technological services with administrative services and (ii) stopping harassment and victimisation of Shri Harbans Singh, President of the All India Power Engineers Federation.

(c) The stay-in strike has not affected the power generation and the power supply is reported to be normal.

श्री नवल किशोर शर्मा : अध्यक्ष जी देश में ऐसा लगता है.....

अध्यक्ष महोदय : भाषण न करें, प्रश्न पूछें। आप ने जिस तरह से शुरू किया—देश में ऐसा लगता है—उस से ऐसा लगता है कि यह रुकना ही नहीं है।

श्री नवल किशोर शर्मा: मैं भाषण नहीं कर रहा हूं —प्रश्न पूछ रहा हूं। मैं अर्ज कर रहा था कि इस वक्त देश में हड़तालों की एक बाढ़ सी आई हुई है। यू० पी० के इर्जीनियर्स ने जो हड़ताल हुई है, उस के साथ साथ इस हड़ताल का विस्तार पंजाब, राजस्थान और दूसरे प्रान्तों में भी होता जा रहा है। हड़ताल के जो कारण बताये गये हैं उन में एक तो यह है कि श्री हरचरन सिंह के साथ जो कुछ हुआ है उसकी सहानुभूति में हड़ताल है, दूसरा कारण — पैरिटी है। मैं मंत्री महोदय से इस सम्बन्ध में यह जानना चाहता हूं —क्या उन्होंने यू० पी० के हड़ताली इन्जीनियरों के साथ कोई बातचीत की है, यदि की है तो उस का क्या परिणाम निकला है ?

पिछले दिनों में यू० पी० के बिजली इन्जीनियरों ने जो हड़ताल की थी, उस वक्त हड़ताल के क्या मुद्दे थे, क्या उन मुद्दों में यह पैरिटीवाला मुद्दा नहीं था, यदि था, तो उस मुद्दे के सिलसिले में उस वक्त जो समझौता हुआ, उस को क्रियान्वित न करने की जिम्मेदारी किस की है ?

इस सवाल के साथ में यह कहना चाहूंगा....

MR. SPEAKER: Question please.

SHRI NAWAL KISHORE SHARMA: I am coming to that.

MR. SPEAKER: If you are coming to the question now, the previous part was redundant.

SHRI NAWAL KISHORE SHARMA: I am putting the question, Sir.

मैं निवेदन कर रहा था कि जहां तक हड़ताली कर्मचारियों के व्यवहार का ताल्लुक है, उस को किसी तरह से जस्टीफाईनहीं किया जा सकता। फिर जो हड़ताल हो रही है उस से पावर जैनरेशन पर जो दिक्कत आनेवाली है, उस के बारे में सरकार जो कदम उठा रही है उससे भी सदन को अवगत करायें ?

DR. K. L. RAO: We had talked—myself and the Deputy Minister to some of the representatives of the Northern Power Engineers' Federation for two days. I told them very firmly that, so far as the question of linking up the Harbans Singh case was concerned, we would not accept anything because it was entirely the problem of the Punjab Government, and also he has been suspended on grounds of corruption. So, we told them that they should not link up that problem here.

Regarding the other point about parity of scales, we told them that it was not a question of parity, the point was that they pay would depend on the duty one performed and an equitable amount of pay should be fixed for that. I said that they could study it in depth and submit a proper memorandum and that that would be very sympathetically and carefully considered by the Government.

About the other points, the main demand of U.P. engineers was in respect of the Chairman being a technical person. That was done and the Chairman, U.P. Electricity Board, is now an engineer.

I am very happy with the hon. Member's statement that we do not support strike in any shape whatsoever. The country is more important. Also I am very glad to state that, according to the information given to me by the Chairman of the State Electricity Board, out of 1,500 officers, only 55 are on-stay-in-strike.

SHRI JYOTIROMY BOSU: I am afraid hon. Dr. Rao, with his rich knowledge, has not given the correct

picture. The difficulties are of two categories; functional and matters of principle. They are demanding the same type of services as IAS Officers. Out of 1,500 engineers, only very few are permanent; most of them are temporary; and they are receiving humiliation and harassment from the hands of IAS category officers.

The other basic thing is this. I have before me a clipping that the West Bengal State Electricity Board engineers are also going on strike because of bad treatment meted out to Harbans Singh. Mr. Harbans Singh in a statement has clearly pointed out yesterday that he has done nothing wrong. Two pistols were recovered from his house; one is covered by licence and the other belongs to his son who is a Major in the Army. Under the circumstances, when he is alleging that the Chief Minister of Punjab had been taking money from him, is it not fair that you institute on impartial inquiry into the matter and solve the problem and satisfy the engineers of the House? Will you take steps towards that or not?

DR. K. L. RAO: I am afraid, the information given by the hon. Member is not correct at all. At least we do not have any information of that type. Here, Mr. Harbans Singh, President of the Federation.

MR. SPEAKER: Mr. Jyotirmoy Bosu, do not make such on allegation without giving any notice. It is too wild an allegation. Do not make such an allegation.

DR. K. L. RAO: ....has been charged with some cases. But that is not relevant to us. The Government of Punjab has suspended him under the Prevention of Corruption Act. When the Punjab Government, whose employee he is, has done that, it is for the officer to represent and get clearance if the charges are not correct. That should not be the problem of other people. In this particular case I would appeal to the engineers that this is not the way in which the agitation should be carried on. An agitation should be for better and impersonal purposes, but here they want to agitate on behalf of a person who has been charged with certain charges which may be correct or may not be and I do not want to say anything about that, and, it is for the Punjab Government essentially to deal with that case. It is not for the whole of India, more so for the UP Engineers to start an agitation on that account. Sir, UP, I submit, is now in a state of very great difficulty. In the whole of India, it is only UP which has got a shortage of power and that too, a very heavy amount of shortage and it should be the effort of all people concerned, especially, the engineers, to try to produce as much as they can. A lot of machinery is lying for want of repairs. All that should be attended to. Instead of that, to egg on an agitation over some case connected with some personality somewhere-else is not correct, in my opinion. I would appeal to the engineers—it may be a few engineers or may be large, but that is not the point—I have appealed to them earlier and once again I would appeal to them that in the best national interest, it is very important especially in UP where power is heavily short and where it has an effect on industry and employment and almost every activity of life, it is there, I would say, that it is their national duty first to try to do whatever is possible for restoring and for maximising energy production and not to pick up a case of somebody somewhere-else of some other State and go on a strike.

SHRI VASANT SATHE: As a technical expert himself will the hon. Minister be able to say whether the engineers and other technical personnel and the officers in the Electricity Boards are administratively less efficient than their IAS counterparts

and is it not because of this that it has not been possible for the Governments and authorities uptill now to agree to their demand for parity with the IAS cadre people and is it not one of the reasons or the basic reason for the illwill that is prevailing among this cadre and what steps are going to be taken in this respect?

Secondly, is not a fact that actually, the case of Harbans Singh is a case of victimisation because he happened to be the Chairman of that Federation? If he was not the Chairman of that Federation, would the same action that has now been taken, be taken or would have been taken against him? These are my two questions.

DR. K. L. RAO: Straightaway, so far as we are aware, it is not a case of victimisation and we have no evidence for that. The Government of Punjab has suspended him and has registered a case under the Prevention of Corruption Act and, therefore, there is no question of any victimisation and I do not have any information to say anything in support of that contention.

Then, with regard to the other question of parity for the Engineering Services, I would like to state that the Power Engineers of this country are highly well-qualified, that are very intelligent people and they have been doing very good work and there is no question that they should receive salary consistent with their work and duties they perform and the great efficiency with which they are conducting.

Also in the Fifth Plan we are going to have a very massive development of power and we are going to double the power that we produce now....

SHRI VASANT SATHE: I have asked whether administratively they are less efficient.

DR. K. L. RAO: I know that and I am trying to deal with that. What I was saying was that we are having a massive development of power. Therefore, we want the wholehearted co-operation of the power engineers. That is what I am saying.

About their administrative capacity and all that, it is absolutely the same and I assure the hon. Members that the engineers are not less efficient or less capable and there is no question about it. But I want to submit to the House that there is no question of parity and there is no necessity for any parity. The duties of engineers are different from those of administrative officers like IAS. The engineers, the Executive Engineers and the Supedintending Engineers and operators and so on are entirely well-versed in their subjects and only when the engineer comes to occupy a position where the position can be occupied by an IAS officer, he should get the same salary and there should not be any differentiation. or example, if an engineer is made Secretary of an organization, as we have done in the case of Chairman of the Central Water and Power Commission who is given the status of Secretary, he should get the same status and pay. He gets the same salary and same status as any other IAS officer. I have told that they are capable people and they should be given all encouragement and about salaries they should make out a case, they should study the case and make out a case after going into this in depth.

SHRI ATAL BIHARI VAJPAYEE: Is it not a fact that power engineers have deliberately exempted the generation and control station and generation engineers from participating in the present protest and that is the reason why there is no total disruption of power supply in UP and other States? Does the Minister want all engineers to join the strike?

Secondly, Mr. Harbans Singh has offered to face a CBI enquiry into charges of corruption. He has also offered to resign. Will the hon. Minister advise the Punjab Government to hand over the entire case to the CBI as the very *bona fides* of the Punjab Government in this case is in doubt?

DR. K. L. RAO: It is true that the generation staff did not join the stay-in strike and it is good so far as that is concerned. I appeal once again to all sections of engineers not to strike; it causes disturbance in this way. For example in UP, lot of attention had to be given to the machines and wholeherted attention could not be given due to distraction. In those old days of excitement a few engineers would join together and talk about the strike and so on in DESU instead of attending to the control board. That is why I say, I would appeal to them once again not to strike. As far as the question of Harbans Singh is concerned it is entirely a State matter. If it wants Central help it can be considered. If we interfere, the hon. Member knows, all sorts of political aspects about Centre-State relation will come in and we cannot just do that. If a request comes from them we can consider that.

श्री अटल बिहारी वाजपेयी : यह हड़ताल सारे प्रदेशों में फैल जायेगी तो स्टेटस का मामला कैसे रहेगा ?

SHRI KARTIK ORAON: It is recognised by all even Panditji has said that engineers can become administrators but administrators cannot and will not become engineers. It is known to eveybody. Let, it is an insult to any one, it is an insult to human intelligence, it is an insult to human dignity, that in every department which is highly technical in nature, we find that such departments and divisions are manned not by technical personnel, but by administrative personnel. What is standing in the way of appointing a technical person as Chairman of the UP State Electricity Board? This is the root cause of all the troubles. In what way is an IAS officer more fitted to occupy such posts than an Engineer? I would like to know as to what steps the Government has taken for removing this anomaly.

DR. K. L. RAO: It is a matter worth consideration that heads of technical departments especially Electricity Boards must be manned by engineers. So far as UP is concerned the Chairman is an engineer.

SHRI VIKRAM MAHAJAN: Sir apart from the feelings both inside and outside the House, there are ways of hanling this problem. One way is to meet them and have a sort of a compromise in regard to their demands—a sort of give and take; Second is to set the machinery in order; third is to go on appealing to to them.

MR. SPEAKER: And fourth is your supplementary.

SHRI VIKRAM MAHAJAN: My question is this. Should we not make an appeal to them? I would like to know from him what steps is he going to take to settle this problem of asking the striking engineers to come for duty as otherwise it is spreading out, and so, I want to know what concrete steps he is taking to arrive at a compromise so that the production is not hampered in this country?

MR. SPEAKER: May I request you all to stop talking as I am not able to listen to what the hon. Member is saying? Mr. Mishra, I am listening to what you are talking but not the other hon. Member, as your voice is preventing his question to be heard. What is your last question, Mr. Mahajan?

SHRI VIKRAM MAHAJAN: My question is: are you taking concrete steps to arrive at a compromise as a sort of give and take so that the production which is suffering already in this country does not suffer any more? Or will you take the other alternative of taking some coercive measures?

DR. K. L. RAO: As I said earlier, I met the delegation of the Northern India Power Engineers' Federation. And we have had a lengthy discussion for two days. As a result of that various suggestions have been made. I do not know what has happened further after this. I do not want to take any action in the matter. We are still feeling that the engineers who have gone on a sit-in strike will come back to their normal duties.

SHRI S. M. BANERJEE: With regard to Shri Harbans Singh there are charges and counter-charges made against him. So, the correct solution would have been a central probe into this matter. The demand of the power engineers is this. They have highlighted their demand of parity with the I.A.S. officers in the matter of scale of pay. The reason for this is this. In the case of suspension of the Chairman of the Board, he has no other office where he can remain. In the case of I.A.S. officers, if one is suspended, he is sent to the next district in the same post. This is their main demand.

MR. SPEAKER: It is a good guidance for them.

SHRI S. M. BANERJEE: So, I would request the hon. Minister to let us know whether the question of parity with the I.A.S. officers has been gone into. You know in the whole country, the doctors want parity; the scientists want parity. And after submission of the Pay Commission's Report they all want parity. I support their demand. So, I want to know whether this aspect of the matter, leaving aside the other thing, is being considered by the Government. This is a legitimate demand. If so, may I know whether any solution would be found out after talking to the engineers and whether a long-term or short-term agreement with them would be arrived at.

DR. K. L. RAO: I have already answered this question. I think the technical personnel—engineers—should be given proper consideration in the matter of scale of pay. In regard to their emoluments there are no two opinions. But, we have to study this problem in depth. The service conditions are different for the engineers in different States. They have to make a study in depth. I have advised these people to make a deep study and, if necessary, they may have a small committee of their own in this regard and bring out a case. I am sure that will carry conviction.

SHRI S. M. BANERJEE: In the case of Electricity Board, however, in U.P. and in Punjab, if he does not remain as Chairman on being suspended, he is reverted immediately. What are the orders, if any, that he will not remain as Chairman—in the same post? It is this which is lurking in their minds.

MR. SPEAKER: Let the hon. Minister reply. He has not completed his reply.

DR. K. L. RAO: I have replied to it already.

श्री नरसिंह नारायण पांडे : श्री हरबंस सिंह का मामला छिड गया है और इसको ले कर सारे इंजीनियर्ज उत्तर प्रदेश में भी हड़ताल कर रहे हैं और दूसरे प्रदेशों में भी कर रहे हैं। क्या इससे पहले भी उत्तर प्रदेश के इंजीनियर्ज हड़ताल नहीं की थी और यह भी क्या सच नहीं है कि मंत्री महोदय ने और उस समय के

बहां के मुख्य मंत्री जी ने भी उनके साथ कोई समझौता किया था जिस की बजह से स्ट्राइक काल आफ हुई थी ? क्या यह सही नहीं है कि हरबंस सिंह के मामले के साथ अपने मामले को जोड़ कर बहां के इंजीनियर अपनी मांगों को आगे बढा रहे हैं ? उस समय जी आश्वासन उनको दिये गये थे उनके कार्यान्वयन में आपको क्यों दिक्कत है ?

DR. K. L. RAO: If the demands are other than those connected with Mr. Harbans Singh, it will be possible to arrive at some settlement. But if the question is linked up with Mr. Harbans Singh, of course, it will not be possible for us to do anything in the matter.

SHRI BISHWANATH ROY: In view of the situation created by the strike, may I know whether any alternative arrangement is not possible at present so that the situation can be eased?

DR. K. L. RAO: Of course, it will be possible always to make alternative arrangements. We have already thought of it, and it is not a very difficult thing. Only there may be some transitional difficulty when people would have to use some candle-lights for a few days, But I do not think that that situation will arise, and it is not if a certain set of persons is indispensable; the country is much too big for that.

WRITTEN ANSWERS TO QUESTIONS

Over-aged Bushes in North Bengal Tea

*426. SHRI RANEN SEN: Will the Minister of COMMERCE be pleased to state:

(a) whether 50 per cent of the bushes in the North Bengal tea gardens are over-aged; and

(b) if so, what are the steps taken by the Tea Board to facilitate early replantation in such tea gardens?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) About 48 per cent of the bushes in North Bengal Tea Gardens are estimated to be over fifty years old.

(b) Financial assistance in the form of loan and subsidy is given to the tea plantation industry through the Tea Board's schemes viz. Plantation Finance Scheme and Replanting Subsidy Scheme respectively for replantation of old uneconomic tea areas. The quantum of loan has been increased from Rs. 7400 per hectare to Rs. 11250 in plains and from Rs. 9900 per hectare to Rs. 13750 in hills and the quantum of subsidy has been increased from Rs. 3500 per hectare to Rs. 4000 in plains and from Rs. 4500 per hectare to Rs. 5000 in hills with effect from 1-1-72 to make the scheme more attractive. In consideration of loss in crop sustained in uprooting and replanting, replacement planting in general has been brought within the purview of the Replanting Subsidy Scheme. Further, uneconomic tea areas have been made eligible for the subsidy irrespective of the age of the bushes.

Efforts made by S. T. C. for the Import of Nylon Yarn

*427. SHRI VIKRAM MAHAJAN: Will the Minister of COMMERCE be pleased to state:

(a) whether the attention of Government has been invited to the news-item which appeared in the *'Economic Times'* dated the 19th July, 1973 to the effect that efforts made by the State Trading Corporation to arrange the import of 3,000 tonnes of nylon yarn have not met with desired result; and

(b) if so, the reaction of Government thereto and the steps taken to meet the situation?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): (a) and (b). Yes Sir. There is a global shortage of nylon yarn and its raw material caprolactum; however, STC is making every effort to locate and purchase as much as possible of nylon yarn to meet the current shortage. A purchase team of STC has already been sent for making on-the-spot purchases of caprolactum and nylon yarn.

Head-on Collusion, between I. A. Boeing 737 and I. A. F. Canberra narrowly averted in Khajuraho air space on 26th July, 1973

*430. SHRI D. K. PANDA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether head-on collusion between an Indian Airlines Boeing 737 and I.A.F. Canberra was narrowly averted in the Khajuraho air space on 26th July, 1973 and the Captain of the IA. Boeing had lodged the air-miss report with the A.T.C. Khajuraho and Flight Information Centre; Delhi;

(b) whether there have been several such cases of air-miss in the past one year;

(c) whether in one such case both the aircrafts involved belonged to the Indian Airlines and if so, what are the causes of such incidents; and

(d) what steps have been taken to avert such incidents in future?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) Although the Captain of the Indian Airlines Boeing lodged an air-miss report, the subsequent investigation showed that there was adequate separation between the two aircraft and there was no risk of any collision.

(b) 22 air-miss reports have been lodged with the Civil Aviation Department since 1st August, 1972.

(c) Yes, Sir. The matter is under investigation.

(d) Air-misses may be due to a variety of reasons including failure to observe laid down procedures and regulations. Care is being taken that such infringements do not recur. It is also proposed to further strengthen communication and air traffic control systems.

Imposition of Higher Landing limits at New Delhi and Calcutta Airports by International Federation or Airline Pilots Association

*431. SHRI VAYALAR RAVI: SHRI RAMAVATAR SHASTRI:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have noticed the reports appearing in the *"Times of India"* dated the 1st August, 1973 regarding the imposition of higher landing limits at New Delhi and Calcutta Airports by the International Federation of Airline Pilots Associations because of complaints from the Airlines' Captains about safety at these airports; and

(b) if so, what are the basic reasons for the development of such feeling among international pilots about our airports and the measures taken by Government in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SNGH): (a). Yes, Sir. No reference has, however, been received from the International Federation of Airline Pilots Associations in this regard.

(b) An erroneous impression seems to have been created that the instrument landing system at Delhi airport was defective. It has recently been subjected to thorough check by an expert consultant of the manufacturers, who found it functioning normally within permissible tolerances.

Export of Bicycles to other countries

*432. SHRI M. M. JOSEPH:
SHRI P. M. MEHTA:

Will the Minister of COMMERCE be pleased to state:

(a) the names of the countries to which bycycles are being exported;

(b) the names of the makes of cycles which are being exported; and

(c) the number of bicycles exported during the last three years and the foreign exchange earned during the period?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE)): (a) Some of the major countries importing Indian bicycles are:—

Bangladesh
Indonesia
Iran
Malawi
Nigeria
Bulgaria
U.S.A.
Malaysia
Singapore
Srilanka
Thailand
Iraq
Kenya
Tanzania
Uganda
Zambia
Yugoslavia
Italy
U.K. etc.

(b) Prominent makes of bicycles being exported are:—

Hero	Phillips
Avon	B.S.A.
Atlas	RMI
Raleigh	Matchless
Hercules	Super
Greyhound	Marshall

(c) Number of cycles exported and their value during the last three years are as ollows :—

Year	Quantity (Numbers)	Value (Rs. Crores)
1970 71	200,906	2·32
1971 72	142,620	1·84
1972 73	211,576	2·58

(Source : EEPC, Calcutta)

Cheating of Athagarh Branch of State Bank of India in Orissa

*433. SHRI SAT PAL KAPUR:
SHRI VARKEY GEORGE:

Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been invited to the news item which appeared in the *'Evening News'* dated the 27th July, 1973 to the effect that a former agent of the Athagarh Branch of the State Bank of India in Orissa and a private firm have allegedly cheated the Bank of Rs. 60 lakhs under the demand draft purchase scheme in 1969-70; and

(b) the facts of the case and the action taken by Government against the persons responsible?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) Government have seen the news-item referred to.

(b) The Central Bureau of Investigation had conducted an investigation into an allegation that the Agent of the Athagarh Branch of the State Bank of India in Orissa, during the period February 1969 to August 1970, had entered into a criminal conspiracy with a few other persons and obtained pecuniary advantages for these persons and for himself. On the basis of the Findings on the investigation made by it, the Central Bureau of Investigation has filed 4 charge-

sheets under Section 120-B read with Section 420 IPC and Section 5(2) read with Section 5(1) (b) and (d) of the Prevention of Corruption Act, 1947, in the court of Special Judge, Puri on 24th August, 1972 for the trial of the Agent and seven others. The trials in all the four cases have not yet concluded.

Proposed Agitation by Higher Grade Staff and Assistants of L. I. C.

*434. SHRI JHARKHANDE RAI Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention has been drawn to the news item "LIC Higher Grade Staff to agitate" appearing in the "*Statesman*" dated the 21st July, 1973 and the news item "LIC Assistants to Protest" appearing in the '*Hindustan Times*' dated the 22nd July, 1973; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) Both these news items deal with the alleged "discriminatory attitude" of LIC in not inviting the Higher Grade Assistant's Association for discussing the charter of demands submitted by the Employees Associations representing Class III & Class IV employees. The Corporation has not invited any category-wise or Section-wise association for discussions. It is the Government's view that the matter as to which Association is to be invited for discussions is to be decided by the Life Insurance Corporation.

Joint Ventures Abroad

*435. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of COMMERCE be pleased to state:

(a) which are the countries where Government have sanctioned joint ventures during the last six months and what are the products to be manufactured, country-wise;

(b) how many joint ventures have been sanctioned to-date and how many have gone into production and

(c) what are the causes that production has not started in other joint ventures?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Details of Industrial joint ventures sanctioned by the Government during period January--June, 1973 are given below:—

Statement

(a) Details of Industrial joint ventures sanctioned by the Government during period January 1973 are given below :

Sl. No.	Country	Field of collaboration	Indian collaborator	Date of sanction
1	2	3	4	5
1.	Indonesia . .	Water meters	Mahindra & Mahindra Ltd., Bombay.	3-1-73
2.	Do .	Storage batteries & components	Tata Exports Ltd., Bombay	27-4-73
3.	Do .	Textile Mill	Century Spg. & Mfg. Co. Ltd. Bombay.	10-5-73
4.	Kenya . . .	Pharmaceutical products.	Sarabhai 'M' Chemicals (P) Ltd., Ahmedabad.	14-6-73

1	2	3	4	5
5.	Mauritius	Cement Plant	The K.C.P. Ltd., Madras	3-1-73
6.	Malaysia	Textile Mill	Lakshmi Textile Exporters (P) Ltd., Coimbatore.	11-1-73
7.	Do.	Mettalic flexible tubes & hoses.	Zaverchand, Gackwad (P) Ltd., Baroda.	18-1-73
8.	Do.	Heating elements & immersion rods mfg. unit.	Harsha Electric Appliances Co. (P) Ltd., New Delhi.	11-6-73
9.	Singapore	Shipping Company	Shri G. K. Singhania C/o J.K. Org., Bombay.	7-2-73
10.	Sri Lanka	5-Star Hotel	Oberoi Hotels (India) (P) Ltd., Delhi.	11-5-73
11.	U.S.A. (Chicago)	Restaurant	Ghai Lamba Catering Consultants (P) Ltd., N. Delhi.	22-1-73

(b) So far Government has sanctioned 163 proposals to set up industrial joint ventures abroad. Out of these, 37 have gone into production, 4 have been abandoned after being in production for a short time, 55 are in various stages of active implementation and 67 have not been implemented owing to various reasons.

(c) Out of 55 projects under implementation, 46 were sanctioned during or after 1971 and are being actively implemented. Usually, it takes two to three years for a project to be completely implemented.

Financial Assistance from I.D.A. for Telecommunications Project

*436. SHRI P. GANGADEB: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 979 on the 27th July, 1973 and state:

(a) what will be the total lending by the International Development Association to India for Telecommunications Project;

(b) what would be the cost of the project; and

(c) the total number of direct exchange lines that would be added to the system?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) As had been stated in reply to Unstarred Question No. 979, an Agreement has been signed with the International Development Association for the Fifth Credit of $80 million to India for Telecommunications. We had secured earlier four credits from the International Development Association amounting to $180.5 million and a loan from the World Bank for an amount of $27.5 million to help finance the foreign exchange cost of the Telecommunication Programme upto the Fourth Five Year Plan.

(b) The total cost of the project financed by the Fifth Credit is estimated at Rs. 389 crores (US $34 million) with a foreign exchange component of Rs. 86 crores (US $118 million). This covers the first two years of the Fifth Five Year Plan development programme for telecommunications.

(c) It is expected that 258,000 direct exchange lines would be connected in addition to expansion of long distance facilities, trunk exchange capacities, additional public call offices, new telegraphic offices and telex services.

Efforts for Evolving an agreement on Comprehensive Monetary Reforms for bringing stability in Exchange Rates

*437. SHRI RAJDEO SINGH:
SHRI SHANKER RAO SAVANT:

Will the Minister of FINANCE be pleased to state:

(a) whether most of the countries are striving to oust gold from the Centre of the international monetary system;

(b) if so, the reaction of the Indian Government thereto;

(c) whether consequently the major gold markets are experiencing a maddening boom and gold prices have shot up more than double during the past six months; and

(d) whether the 124-member International Monetary Fund (IMF) is making desperate efforts to evolve an agreement on comprehensive monetary reforms to end the instability in the exchange markets?

THE MINISTER OF FINANCE (SHRI YESWANTRAO CHAVAN): (a) and (b). Under the post-war international monetary system, established at the Bretton Woods Conference, gold formed the numeraire, in which countries expressed the par values of their currencies, and also constituted a principal asset in which countries maintained their reserves. With the virtual collapse of the Bretton Woods system there is now general agreement, with the exception of a few countries, that in a reformed international monetary system the role of gold should be phased out. India and other developing countries favour this approach.

(c) During the past six months, the price of gold in the major markets has increased by 60 to 80 per cent. A variety of factors has contributed to the rise in price of gold. Gold production has remained stagnant in the past few years, while there has been a rise in the non-monetary demand for gold for industrial purposes. Besides, there has been a speculative upsurge in the demand for gold due to the continued weakness of the dollar, the expectations of upward revision in the official prices of gold, the lack of confidence in the prevailing international monetary system, and the unsettled conditions prevailing in the exchange markets.

(d) A thorough reform of the existing international monetary system is currently under discussions in the Committee of 20, consisting of the Finance Ministers of various countries, set up by the International Monetary Fund in September 1972. Arrangements for a better functioning of the exchange rate mechanism would be one of the main features of the reform.

Establishment of a Cotton Mill at Rayaqada in Koraput District

*438. SHRI GIRIDHAR GOMANGO: Will the Minister of COMMERCE be pleased to state:

(a) whether Government of Orissa propose to start a cotton mill at Rayaqada in the Koraput District;

(b) if so, the amount allocated for the purpose;

(c) whether the site selection has been completed to establish the Mill; and

(b) when the work will be started?

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): (a) Yes, Sir.

(b) The total investment in land, building and Machinery is estimated at Rs. 242 lakhs.

(c) The proposed mill is proposed to be located at Rayaqada in Koraput District.

(d) The application for a new undertaking licence under the Industry (Dev. and Reg.) Act, 1951 received in this connection has been referred to the licensing committee for its approval.

Sale of Manipur Handloom Products in National and International Markets

*439. SHRI N. TOMBI SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether arrangements are being made for selling the Manipuri Handloom products on a larger scale both in the National as well as international markets;

(b) if so, the broad outlines thereof;

(c) if not, whether the Government are aware that the Manipuri Handloom products, in spite of hteir great demand all over the world, are not being marketed properly for want of adequate organisations; and

(d) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). The Government of Manipur are primarily in charge of the marketing of Manipur handloom products. The position with regard to arrangements made by them for the purpose, is being ascertained from them. All India Handloom Fabrics Marketing Cooperative Society, Bombay, and the Handloom and Handicrafts Corporation, both of which operate on an All-India basis, have also been assisting in the marketing of Manipur handloom products in India and abroad.

(c) No, Sir.

(d) Does not arise. But any further assistance necessary can be considered if the Government of Manipur indicates specific proposals.

Taking over of wholesale Trade of essential commodities

*440. SHRI BHOGENDRA JHA: Will the Minister of FINANCE be pleased to state:

(a) whether it is proposed to take over wholesale trade of all essential commodities including foodgrains and ensure their distribution at controlled rates; and

(b) if not, the reasons therefor?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). The "Approach To The Fifth Plan, 1974—79" document envisages substantial expansion of the role of the public sector in trade and distribution. Wholesale trade in wheat and levy sugar has already been taken-over, and the distribution of controlled varieties of cotton cloth has been channelled almost entirely through public agencies. A Committee on Essential Commodities and Articles of Mass Consumption has been set up by the Planning Commission to suggest long-term and short-term policies and measures for making available essential commodities and articles to the common man at reasonable prices.

उत्तर प्रदेश के बिजली कर्मचारियों की हड़ताल के कारण सरकारी उपक्रमों की हानि

4124. **श्री हुकम चन्द कछवाय** : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने इस सम्बन्ध में कोई मूल्यांकन कराया है कि उत्तर प्रदेश विद्युत बोर्ड के कर्मचारियों की हड़ताल का सरकारी उपक्रमों पर क्या प्रभाव पड़ा है;

(ख) यदि हां, तो इससे राज्य सरकार तथा केन्द्रीय सरकार को अनुमानत: कितनी क्षति हुई है ; और

(ग) इससे कितने मानवदिनों की क्षति हुई है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) और (ख) : जी, हां राज्य बिजली बोर्ड के कर्मचारियों की हड़ताल के कारण उत्तर प्रदेश में स्थित केन्द्रीय सरकार के औद्योगिक उद्यमों में हुई प्रत्यक्ष हानि का अनुमान उपलब्ध है ।

(ग) स्थिति इस प्रकार रही :

उद्यम का नाम	कार्य-दिवस की हानि
1 इण्डियन ड्रग्स एण्ड फार्मस्युटिकल्स लि० ऋषिकेष	25,600
2 हिन्दुस्तान एयरोनाटिकस लि० लखनऊ	2,040
3 माडर्न बेकरीज लि० कानपुर	84
4 टैनरी ऐण्ड फुटवियर कारपोरेशन लि० कानपुर	6375
5 भारत इलैक्ट्रानिक्स लि० गाजियाबाद	निर्माणाधीन
6 स्कूटर (इण्डिया) लि० लखनऊ	निर्माणाधीन
7 त्रिवेणी स्ट्रकचुर्लस लि० नैनी	इसका अनुमान नहीं लगाया जा सकता क्योंकि उस अवधि के दौरान वहां हड़ताल थी।
8 आयल एण्ड नेचुरल गैस कमीशन, देहरादून	शून्य
9 भारत पम्पस ऐण्ड कम्प्रेशर्स लि०, नैनी, इलाहबाद	शून्य

Quantities of Gamma Picoline, Beta-Picoline and Pyridine to be imported by STC and Private sources during 1973-74

4125. SHRI MAHARAJ SINGH: Will the Minister of COMMERCE be pleased to state the quantities of Gamma, Picoline, Beta-Picoline, and Pyridine proposed to be imported, country-wise, by the State Trading Corporation and private sources, separately, during 1973-74?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): Import of pyridine has been canalised through the STC since 1971-72. Pyridine is a Chemical used by the various industries as solvent and in the sythesis of organic chemicals. The STC have at present no plans to import this item as indigenous production is sufficient to meet the internal demand.

Import of Gamma picoline and Beta picoline has been canalised through the STC during 1973-74. In view of strong indigenous angle, the STC have at present no plans to import Gamma picoline. The requirements for Beta picoline are being assessed by the canalising agency in consultation with the Ministry of Petroleum and Chemicals and for the present import of 165 tonnes of this item is benig arranged from USA/Japan after taking into account the indigenous production.

Imports of Gamma Picoline, Beta-Picoline and Pyridine through STC and Private Channels during 1972-73

4126. SHRI MAHARAJ SINGH: Will the Minister of COMMERCE be pleased to state:

(a) the imports of Gamma Picoline, Beta-picoline and Pyridine made during April, 1972 to March, 1973 and April 1973 to June, 1973 and the countries from which imported;

(b) how much of the above imports are through STC and how much through private channels; and

(c) the present import policy for these chemicals and on what basis import licences are now being issued?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Imports for the

country as a whole are available in the "Monthly Statistics of the Foreign Trade of India-Volume II-Imports" only upto Dec., 1972. The imports of gamma Picoline, Beta-picoline and Pyridine during April-December, 1972 and the countries from which these were imported are given below:—

Sl. No.	Items/Country	April-December, 1972 Quantity (Tonne)	Value (Rs. '000')
1.	*Gamma Picoline* (4-Mythyl pyridine)		
	Japan .	10	54
	Total-1	10	54
2.	*Pyridine*		
	Netherlands .	5	170
	U.K.	3	29
	U.S.A..	40	170
	Total-2	48	369
3.	Beta Picoline* . .	*	*

*Import figures are not available as this item is not separately classified in the Revised Indian Trade Classification on the basis of which foreign trade statistics are compiled.

(b) Break-up of the above imports through STC and Private Channels is not available as Sector-wise import statistics are not maintained.

However, imports of gamma-Picoline, Beta Picoline & Pyridine effected by the STC during April, 1972-March, 1973 and April, 73-June, 73 as reported by STC separately are given below:—

Sl. No.	Items	April' 72—March' 73 Qty. (Tonne)	Value (Rs. '000')	April' 73—June' 73 Qty. Tonne	Value (Rs. '000'
1.	Gamma-Picoline	..	..	..	..
2.	Beta Picoline	100·00	1148	125·00*	1450
3.	Pyridine	34·66	339	..	

*100 tonnes on high seas and balance 25 tonnes to be shipped later.

(c) The current import policy for Gamma Picoline, Beta-Picoline and Pyridine is indicated below:

Gamma Picoline	Import allowed on a restricted basis through the STC.	Release Orders will be issued the extent of 20% of the entitlement vide P.N. No. 58-ITC (PN) 73 dt. 16-4-1973.
Beta Picoline	Import allowed on a restricted basis through the S.T.C.	
Pyridine	Pyridine base and Pyridine technical allowed on a restricted basis through the STC.	Release Orders will be issued to the extent of 5 % of the entitlement.

Revised rates of Fares for Group or Individual Travel by Air India

4127. SHRI R. N. BARMAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Air India has recently revised the rates of fares for Group travel or Individual travel;

(b) if so, the broad outlines of the revision made and on which routes; and

(c) when it will come into force?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) to (c). The following cheap fares for group/individual travel have been established by Air-India since July this year;

UK/India

Following an agreement between Air India and BOAC, and with the approval of the Governments of India and Britain, round-trip individual excursion fares UK to India, Group one-way excursion fares UK to India and Group one-way excursion fares from India to UK have been introduced with effect from July 9, 1973.

So far as travel from India to UK is concerned, one-way economy class group fare for 10 or more passengers are as follows:

Bombay/Delhi to London	Rs. 1613
Madras to London	Rs. 1787
Calcutta to London	Rs. 1816

The above fares are available for—

(i) persons whose normal place of residence is the UK;

(ii) immigrants and/or their family dependents holding immigrant visas or entry permits; and

(iii) students below the age of 30, who are enrolled for a full-time educational course.

Switzerland/India

Following discussions between Swissair and Air-India and with the approval of the Governments of India and Switzerland, special youth fares between the two countries have been introduced with effect from 17th August 1973. One-way economy class fares for passengers originating in India are as under:

Bombay/Delhi to Zurich	Basle/Geneva/ Rs. 3106
Madras to	Basle/Geneva/Zurich Rs. 3664
Calcutta to	Basle/Geneva/Zurich Rs. 3902

The fares will apply to persons who have reached their 12th but not the 30th birthday.

Awkward position of Jute Producers

4128. SHRI R. N. BARMAN:
SHRI B. K. DASCHOWDHURY:

Will the Minister of COMMERCE be pleased to state:

(a) whether Jute Corporation of India is purchasing Jute from Co-operatives and Associations rather than from Marketing Centres in rural and semi-urban areas thus putting the producers of Jute in serious trouble;

(b) if so, how the Jute Corporation of India will fulfil its pledges to purchase the entire Jute production and not to purchase any Jute through intermediaries; and

(c) the steps taken to improve the working of Jute Corporation of India?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a). The Jute Corporation of India has set up 30 Departmental Purchase Centres for purchase of Jute. Besides, it will also purchase through growers co-opera-

tives in about 90 Market Centres. The operations are entirely in the interest of growers.

(b) and (c). The JCI's purchase operations will account for around 30 per cent of the total produce. There are no intermediaries involved. The J.C.I. will utilise growers cooperatives as for as possible and with the gaining of experience there will be progressive expansion of the JCI's activities.

Recruitment of persons belonging to Scheduled Castes and Scheduled Tribes in Public Sector Undertakings

4129. SHRI S. M. SIDDAYYA: Will the Minister of FINANCE be pleased to state:

(a) whether at the fourth meeting of the High Power Committee to review the performance in recruitment of Scheduled Castes and Scheduled Tribes in services/posts under the control of the Central Government, held in December, 1972, a decision was taken to amend the articles of association of public sector undertakings, wherever necessary, to provide for reservation of Scheduled Castes and Scheduled Tribes and also to make a study of a few undertakings regarding the implementation of the directive issued in this regard; and

(b) if so, the names of the undertakings whose articles of association have already been amended and in respect of whom the aforesaid study has been made?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Yes, Sir.

(b) The question of amending the Articles of Association of public enterprises, wherever necessary, to enable the Central Government to issue directives for the reservation of posts for Scheduled Castes and Scheduled Tribes was taken by the Bureau with the administrative Ministries even before December, 1972. As a result, necessary directives have been issued to the 83 enterprises given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT.5481/73]. The other undertakings have also agreed to abide by the orders.

The Bureau review the progress of implementation of the orders regarding reservation of vacancies for Scheduled Castes/Scheduled Tribes. In this context, it has been decided to keep a special watch over 15 of the largest enterprises, in terms of employment, to ensure that Scheduled Castes/Scheduled Tribes candidates get adequate representation at the higher levels also. The names of these 15 enterprises are given in the annexure.

Prescription of Lower Standards of Qualifications and Qualifying Standards in the case of S.C. & S.T. by Nationalised Banks

4130. SHRI S. M. SIDDAYYA: Will the Minister of FINANCE be pleased to state:

(a) whether the nationalised banks have prescribed lower standards of qualifications and qualifying standards in the case of Scheduled Castes and Scheduled Tribes and if so, the evidence thereof;

(b) whether these banks have also adopted the Directive issued in this regard to the public sector undertakings; and

(c) if not, the reasons therefor?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) The relaxations in educational qualifications and qualifying standards given to Scheduled Castes/Scheduled Tribes candidates for recruitment to various categories of staff, as reported by the banks, are shown in the statement laid on the Table of the House.

[*Placed in Library. See* No. LT. 5482/73].

(b) and (c). All the 14 nationalised banks have adopted instructions of the Government regarding reservation of posts for Scheduled Castes/Scheduled Tribes in regard to posts filled by direct recruitment. The banks, however, have not been able to adopt Government instructions regarding the reservations in promotion posts because of agreements/understanding with the unions of employees and paucity of persons with the minimum qualifying service.

Recovery of Income-tax from O.P.P.I. (Organisation of Pharmaceutical Producers of India), Bombay

4131. SHRI MOHAMMAD ISMAIL: Will the Minister of FINANCE be pleased to refer to reply given to Unstarred Question No. 10006 dated the 11th May, 1973 re: recovery of Income-tax etc. from Organisation of Pharmaceutical Producers of India, Bombay and state:

(a) whether the information in question has since been collected;

(b) if so, whether he would now lay it on the Table; and

(c) if not, the reasons therefor and how much more time he would take to do the needful?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) to (c). The information regarding the central excise duty has since been collected. Central excise duty is leviable on the goods and is payable by its producers or manufacturers only. The Organisation of Pharmaceutical Producers of India, Bombay being an organisation of such producers is not required to pay the central excise duty.

The information regarding the income-tax is being collected and will be laid on the Table of the Sabha as soon as it is possible.

Uniform Procedure for Issuing Pay Slips to A-Hoc Promotes in Grade IV of the Indian Statistical Service

4132. SHRI S. C. SAMANTA: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 9060 on the 4th May, 1973 and state:

(a) whether the approval of the U.P.S.C. for the appointment of all the ad hoc promotees of Grade IV of the Indian Statistical Service upto 30th June, 1973 has since been communicated to the A.G.C.R. by the Department of Personnel and Administrative Reforms;

(b) if so, the reasons for not adopting uniform procedure for issuing Pay Slips to all the ad hoc promotees under his audit control; and

(c) the steps being taken to issue regular pay slips from now onwards to some of the ad hoc promotees who were issued provisional pay slips for a restricted period upto 30th June, 1973.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) A.G.C.R. has not received any communication from the Department of Personnel and Administrative Reforms conveying the approval of the U.P.S.C. to the appointment of all ad-hoc promotees of Grade IV of the Indian Statistical Service upto 30th June, 1973. The latter have intimated the U.P.S.C.'s approval to the Departments where the officers are working, and these Departments in turn communicate the same to the concerned Accountant General.

(b) Wherever Government orders indicate the ad hoc appointments as "until further orders", if the ad hoc appointments are against permanent posts, pay slips are issued without specifying any time limit and, where ad hoc appointments are against temporary posts, pay slips are restricted upto the date of expiry of the sanction for these posts. Where Government orders indicate that ad hoc appoint-

ments are for specific periods, the pay slips are restricted to the periods so specified.

(c) Regular pay slips upto the end of October, 1973 have been issued to the two officers who are still in service and in respect of whom pay slips were earlier issued upto 30th June, 1973. Department of Personnel and Administrative Reforms have, however, recently advised the various Departments to notify the ad hoc appointments of officers of Grade IV of the Indian Statistical Service as "until further orders".

आयात विनियमों का उल्लंघन करने वाली कम्पनियों के विरुद्ध मुकदमे

4133. **श्री एम० एस० पूर्ति :** क्या **वाणिज्य मंत्री** 30 मार्च 1973 के अतारांकित प्रश्न संख्या 5440 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने आयात विनियमों का उल्लंघन करने वाली कम्पनियों के विरुद्ध मकदमे चलाये हैं और यदि हां, तो उनके नाम क्या है ; और

(ख) जिन आरोपों पर मकदमे चलाये गये हैं उनका सारांश क्या है ?

वाणिज्य मंत्रालय में उपमंत्री (श्री ए० सी० जार्ज) : (क) वर्ष 1972-73 में हुए आयात नियंत्रण विनियमों के उल्लंघनों की अभी जांच की जा रही है । जांच रिपोर्ट प्राप्त होने के पश्चात सरकार निर्णय करेगी कि क्या विशिष्ट मामलों में मुकदमा चलाया जाना चाहिए । अभी तक कोई मुकदमा नहीं चलाया गया है ।

(ख) प्रश्न नहीं उठता ।

Inspection Conducted by Chief Vigilence Officer in Government Accounts Section etc. of State Bank of Bikaner and Jaipur

4134. SHRI Y. ESWARA REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether the Chief Vigilence Officer of the State Bank of Bikaner and Jaipur conducted special inspection of Government accounts section and New Delhi branches of State Bank of Bikaner and Jaipur in respect of misappropriation, corruption and bribery during the months of June and July, 1973;

(b) if so, what are the findings; and

(c) the action taken thereon?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (c). The State Bank of Bikaner and Jaipur has reported that its Chief Vigilence Officer is enquiring into allegations concerning certain irregularities in the purchase of stationery in its Government Accounts Section and its New Delhi Branch and also in respect of certain advances to small scale industrial units at its New Rohtak Road, New Delhi Branch. According to the bank, as the enquiry is still continuing, his findings are yet to be submitted.

Inspection Report on State Bank of Bikaner and Jaipur

4135. SHRI Y. ESWARA REDDY: Will the Minister of FINANCE be pleased to refer to reply given to Unstarred Question No. 810 on the 27th July, 1973 and state:

(a) whether the inspection report on the State Bank of Bikaner and Jaipur has been received;

(b) if not, the reasons for delay in finalising the report; and

(c) the steps being taken to expedite the finalisation and the date by which this will be done?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (c). The Reserve Bank of India has reported that the inspection report on the State Bank of Bikaner and Jaipur has not been received by it so far. According to the Reserve Bank, taking into consideration the normal time taken for finalisation of inspection reports by Inspecting Officers for banks of the size of the State Bank of Bikaner and Jaipur, the time taken in this particular case cannot be considered as unduly long. Though the Reserve Bank has been advising its Inspecting Officer to expedite drafting of the inspection report it is of the view that it will take two or three months before the report is received and finalised by it.

Simplification of procedure for granting Import Replenishment Licences

4136. SHRI R. V. SWAMINATHAN: SHRI Y. P. MANDAL:

Will the Minister of COMMERCE be pleased to state:

(a) whether Government have decided to simplify the procedure for granting import replenishment licences;

(b) if so, the broad outlines thereof; and

(c) the results achieved?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (c). Working groups have recently been set up to review the existing policies and procedure and to recommend further changes in order to help exports. Their reports are awaited.

मोदी स्पिनिंग एण्ड वीविंग मिल्स कम्पनी लिमिटेड से आयकर की वसूली

4137. **श्री हुकम चन्द कछवाय :** क्या वित्त मंत्री 19 मई, 1973 के अतारांकित प्रश्न संख्या 6 783 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) सरकार ने मेसर्स मोदी स्पिनिंग एण्ड वीविंग मिल्स लिमिटेड, मोदी नगर से आयकर की 41,000 रुपये की बकाया राशि वसूल करने के लिए क्या कार्यवाही की है ;

(ख) उन से आयकर की बकाया राशि वसूल न किये जाने के क्या कारण है ; और

(ग) इस सम्बन्ध में सरकार का विचार क्या कार्यवाही करने का है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) से (ग). मैसर्स मोदी स्पिनिंग एण्ड वीविंग मिल्स लि० मोदी नगर की ओर 41,000 रु० बकाया कर-निर्धारण वर्ष 1961–62 से सम्बन्धित है। यह मांग आयकर आयुक्त के समक्ष अनिर्णीत पुनरीक्षण याचिका में विवादग्रस्त है। आयुक्त ने पुनरीक्षण याचिका का फैसला होने तक मांग की बसूली रोक दी है। इस पुनरीक्षण याचिका पर आयक्त द्वारा अभी तक फैसला नहीं दिया गया है, क्योंकि पूर्ववर्ती कर-निर्धारण वर्षों से सम्बन्धित समान मुद्दे इलाहाबाद उच्च न्यायालय में अनिर्णीत पड़े हैं।

उत्तर बम्बई में कस्टम अधिकारियों द्वारा तस्करी वस्तुओं का पकड़ा जाना

4138. **श्री हुकम चन्द कछवाय :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर बम्बई में जून, 1973 के द्वितीय पक्ष में कुछ कस्बों से भारी मात्रा में घड़ियां, साड़ियां और घड़ियों के फीते जैसी तस्करी की वस्तुएं कस्टम अधिकारियों द्वारा बरामाद की गई थीं ; और

(ख) यदि हां, तो बरामाद वस्तुओं का भारतीय मुद्रा में मूल्य क्या है और इस

सम्बन्ध में कितने व्यक्तियों के विरुद्ध क्या कार्यवाही की गई है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) और (ख): 14–15 जून, 1973 को बम्बई सीमा शुल्क गृह के अधिकारियों ने उत्तर बम्बई स्थित देवनार में तीन ऐम्बेसेडर कारों से निम्नलिखित वस्तुएं पकड़ी। इस सम्बन्ध में अभी तक कोई गिरफ्तारी नहीं की गयी है क्यों कि चालक रात के अन्धेरे में भाग निकलने में सफल हो गए थे;

वस्तुएं	मूल्य (भारतीय बाजार दर पर) (रुपये)
कलाई घड़ियां	16,66,400
घड़ियों के पुर्जे	76,600
घड़ियों के फीते	11,100
स्टाप घड़ियां	30,000
गन मैटल (पत्थर)	75,000
पोशाक सामग्री	800
अन्य वस्तुएं	600
कारें	45,000
कुल:	19,05,700

Meeting of Deputation from Gujarat Chamber of Commerce and Ahmedabad Mill Owners Association with Minister of Finance Re: Clearance of Cheques in Ahmedabad

4139. SHRI PRABHUDAS PATEL: Will the Minister of FINANCE be pleased to state:

(a) whether a deputation of the Gujarat Chamber of Commerce and Industry and the Ahmedabad Mill Owners Association met him on 24th July, 1973 and urged him to ensure proper clearance of cheques in Ahmedabad;

(b) if so, what were their main complaints; and

(c) what action has been taken by Government to redress their grievances?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (c). A deputation of Gujarat Chamber of Commerce and Industry met the Finance Minister on 24th July to explain the difficulties being experienced by the mercantile community on account of the suspension of clearing house at Ahmedabad following inter-union rivalry in the Bank of Baroda. With a view to relieve the hardship to the mercantile community and to enable the clearing house to function smoothly, the Bank of Baroda has, with effect from 30th July, 1973, voluntarily withdrawn from the clearing house in Ahmedabad for a temporary period.

Good performance of Gujarat Export Corporation

4140. SHRI PRABHUDAS PATEL: Will the Minister of COMMERCE be pleased to state:

(a) whether the Gujarat Export Corporation, which undertakes exports on behalf of mainly small and medium scale manufacturers in the State have performed well; and

(b) if so, whether Government will encourage such steps in other States also?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). Yes, Sir.

Selection of Baroda District in Gujarat for undertaking Cotton Development Projects on experimental basis by IBRD

4141. SHRI PRABHUDAS PATEL: Will the Minister of COMMERCE be pleased to state:

(a) whether the International Bank for Reconstruction and Development has selected Baroda District in Gujarat for undertaking cotton development projects on an experimental basis from this year;

(b) if so, the broad outlines of the projects;

(c) whether other projects in different states will also be undertaken by the Bank; and

(d) what will be the total expenditure involved in the Baroda project and when the work will be started?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (d). The information is being collected and will be laid on the table of the House.

Lending by Nationalised Banks for Agricultural purposes during 1971

4142. SHRI D. D. DESAI: Will the Minister of FINANCE be pleased to state:

(a) whether Government have seen a report circulated by the United News of India dated 20th May, 1973 that the lending by nationalised banks for agricultural purposes for the year 1971 was disappointing; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) It may not be quite correct to say that the lending by nationalised banks for agricultural purposes in the year 1971 was disappointing. As against 5.5 per cent of Public Sector Banks' advances to agriculture in June, 1969, (immediately before banks nationalisation), the percentage rose to 8.09 as in December, 1971 and to 9.55 per cent in December, 1972.

To further accelerate the performance in the field of agricultral lending, the banks are taking steps to open a larger number of branches in the rural areas, strengthening their organisational machinery by recruting more technical staff, simplifying their lending procedures and application forms. The banks are now adopting the "area approach" and evolving programmes for specific areas for intensive financing. They are also financing primary cooperative societies in 3 States for extending credit facilities to the farmers.

वाणिज्यिक बैंकों द्वारा छोटे और सीमान्त किसानों को दिये गये ऋण

4143. श्री नाथूराम मिर्धा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी से जून 1973 की अवधि में वाणिज्यिक बैंकों द्वारा, अपनी कृषि भूमि का सुधार करने के लिए उन छोटे और सीमान्त किसानों को कितनी धनराशि के ऋण दिये गये, जिनके पास 10 एकड़ के बीच भूमि है ;

(ख) प्रत्येक राज्य में क्रमशः 5, 10 15, और 20 एकड़ से कम की कृषि भूमि वाले कितने कितने किसान हैं ;

(ग) ऐसी बैंकों की राज्यवार संख्या कितनी है और सबसे अधिक राशि के ऋण किस बैंक द्वारा दिये गये ; और

(घ) सरकार ने उन बैंकों के बारे में क्या कार्यवाही की है, जिन्होंने कोई ऋण नहीं दिया ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशीला रोहतगी) :

(क) जिस प्रकार की सूचना पूछी गई है उस प्रकार की सूचना नहीं रखी जाती। फिर भी, दिसम्बर 1972 के अन्त तक अनुसूचित वाणिज्यिक बैंकों द्वारा दिये गये कृषि के लिए प्रत्यक्ष अग्रिमों की कुल बकाया राशि 310.52 करोड़ रुपये है।

(ख) नवीनतम सूचना में इस प्रकार का ब्यौरा उपलब्ध नहीं है !

(ग) विवरण सभा पटल पर रखा गया है। [ग्रन्थालय में रखा गया। देखिये संख्या LT 5483/73]

(घ) सभी सरकारी क्षेत्र के बैंकों ने जिन राज्यों में वे काम कर रहे हैं किसानों को कृषि सम्बन्धी ऋण देने की दिशा में कदम उठाए हैं। सरकार के कहने पर देहातों और अर्धशहरी शाखाओं में प्राप्त कृषि सम्बन्धी ऋणों के बारे में आवेदन पत्रों पर कार्यवाही और देखभाल करने के लिए व कृषि सम्बन्धी क्षेत्रीय प्रशिक्षित कर्मचारियों की संख्या बढ़ा रहे हैं।

सम्पत्ति रहन रखो और अपना मकान बनाओ योजनाएं

4144. **श्री मूल चन्द डागा :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सम्पत्ति रहन रखने और अपना मकान बनाओ योजना अभी भी लागू है और यदि हां, तो उनकी मुख्य बातें क्या है;

(ख) वर्ष 1970, 1971 और 1972 में उक्त योजनाओं के अन्तर्गत किन किन राज्यों में कितने कितने मकानों का निर्माण हुआ; और

(ग) उक्त योजनाओं के अन्तर्गत ऋण के रूप में कुल कितनी धनराशि दी गई ?

वित्त मंत्रालय में उप मंत्री (श्रीमती सुशीला रोहतगी) : (क) जी हां, सम्पत्ति बैंधक योजना और "अपनी मालिकी का घर बनाओ" योजना की मुख्य मुख्य बातें नीचे दी गई हैं :—

ए. सम्पत्ति बंधक योजना

(i) न्यूनतम ऋण 25,000/— रु०

(ii) अधिकतम ऋण 5,00,000/—रु०

(होटल बनाने के लिए अधिकतम सीमा 25,00,000/— रु० हैं)

(iii) ऋण की वापसी 15 वर्षों में अदा करनी होती है।

(iv) बयाज की वर्तमान दरें हैं :-

(क) आवास गृह निर्माण/विस्तार—9½ प्रतिशत

(ख) वाणिज्यिक प्रयोजन—11 प्रतिशत

(ग) सिनेमाघर बनाने के लिए—12 प्रतिशत वापसी में चूक हो जाने पर 2½ प्रतिशत का अतिरिक्त ब्याज वसूल किया जाता है।

बी. अपनी मालिकी का घर बनाओ योजना

(i) न्यूनतम ऋण 10,000/—रु०
(विस्तार के लिए 7,500/— रू०)

(ii) अधिकतम ऋण 1,00,000 रु०

(iii) ऋण की वापसी 20 वर्षों में करनी होती है।

(iv) ब्याज की वर्तमान दर 9-½ प्रतिशत है जिसमें मकान निजी प्रयोग में रखना सिद्ध करने पर 1 प्रतिशत की छूट दी जाती है। परन्तु, यदि ऋण की कम 25,000/- रु० तक है और सम्पत्ति का मूल्य 75,000 रु० से अधिक नहीं हो तो निजी प्रयोग में रखना सिद्ध करने पर 2 प्रतिशत की छूट दी जाती है। वापसी में चूक होने पर 2-1/2 प्रतिशत का अतिरिक्त ब्याज वसूल किया जाता है।

(ख) इन योजनाओं के अन्तर्गत ऋण 1969-70, 1970-71 और 1971-72

में हिमाचल प्रदेश तथा मनीपुर को छोड़कर शेष दिये गये सभी राज्यों और संघ राज्य क्षेत्रों में थे। 'अपनी मालिकी का घर बना ओर' योजना के ऋण त्रिपुरा में केवल 1971–72 में दिये गए थे। इन योजनाओं के अन्तर्गत प्रत्येक राज्य में निर्मित मकानों की संख्या के सम्बन्ध में सूचना तत्काल उपलब्ध नहीं है ।

(ग) इन दोनों योजनाओं के अन्तर्गत 31 मार्च 1972 तक दिए गए ऋणों की कुल रकमें नीचे लिखे अनुसार हैं:—

(लाख रु० में)

सम्पत्ति बंधक योजना	2088.71
'अपनी मालिकी का घर बनायो' योजना।	2092.25

Pensioners by Controler of Defence Pensioners by Controller of Defence Accounts, Allahabad

4145. PROF. NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state:

(a) whether the Controller of Defence Accounts, Allahabad decided to take over the work of payment of pensions to the Indian Military pensioners in some of the offices in Punjab Postal Circle covering Punjab, Himachal Pradesh and Haryana, in June, 1973;

(b) whether payment of pension in the jurisdiction of Head Post Office, Una (Himachal Pradesh) was placed in the charge of Pension Pay Master, Hoshiarpur although Una H.P.O. and its entire jurisdiction is in Himachal Pradesh and Hoshiarpur is in Punjab State;

(c) whether this step on the part of the Controller of Defence Accounts, Allahabad required transfer of all relevant records to the Pension Pay Master, Hoshiarpur from the Hamirpur Postal Division and caused a great deal of frustration, resentment as well as inconvenience to the ex-Servicemen of Himachal Pradesh; and

(d) if so, the preventing steps taken to avoid inconvenience to the ex-Servicemen receiving pension in future?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHIA ROHATGI): (a) It was decided by Government in August, 1972 to open new offices of Pension Pay Masters under the Controller of Defence Accounts (Pensions), Allahabad at Rohtak, Hissar and Hoshiarpur for monthly disbursement of pensions to Indian Military pensioners.

(b) No, Sir.

(c) Records have not been transferred to Pension Pay Master, Hoshiarpur from Una and Hamirpur Post Offices. Due to some misunderstanding, delay, however, took place in payment of pensions to ex-Servicemen of Himachal Pradesh.

(d) Steps to avoid inconvenience to ex-Servicemen have been taken. The pension to Military Pensioners in Una and Hamirpur Districts of Himachal Pradesh will continue to be paid by Post Offices as hithertofore. Postal authorities have also issued necessary instructions to the Post Masters concerned in this regard.

Profits and Losses of Public Sector Undertakings in Orissa

4146. SHRI D. K. PANDA: Will the Minister of FINANCE be pleased to state:

(a) the profit or loss of the Public Sector Undertakings in Orissa, unitwise, during 1971-72 and 1972-73;

(b) in cases of loss, the steps taken and proposed to be taken to overcome the loss and to make them profitable ventures; and

(c) whether as a measure to overcome losses, workers participation in the management is considered as a necessary remedy?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) The operating units located in Orissa of the Central Government enterprises and their working results for 1971-72 and for 1972-73 (Provisional) were as follows

(Rs. in lakhs)

Units of Public Enterprises	Working results 1971-72	Provisional working results 1972-73	
1. *Hindustan Steel Limited.*			
Rourkela Steel Plant	(—) 68·87	1·60	
Rourkela Fertilizer Plant	(—) 17·07	(—) 1·98	
2. *National Coal Development Corporation*			
Talcher		(—) 45·85	
Deulbera	(—) 39·71	(—) 20·69	
South Balanda Collieries		14·89	
		(—) 51·65	
3. *Hindustan Aeronautics Limited.*			
MIG Division, Koraput	59·40	The working results of Koraput Division is not available separately. The HAL is expected to earn an overall net profit of Rs. 3·23 crores.	

(b) Based on the recommendations of the Action Committee on Public Enterprises, steps are being taken in Rourkela to establish additional facilities for mining ore, lime-stone, crushing coke, additional coke-oven battery and bedding and blending facilities for a more uniform feed of raw materials to the blast furnace; repairing and increasing facilities for production of aluminium sulphate; certain measures to improve the organisational structure, industrial relations and communication system at all levels including steps to improve incentive/reward scheme, maintenance, quality and availability of indigenous materials, etc.

In the case of National Coal Development Corporation, the Talcher mines are being developed to improve utilisation of machinery and reduce cost of production. The collieries are also being re-organised under the newly formed Coal Mining Authority.

(c) Government have accepted the view that participation by workers in the management of public enterprises could go to improve all-round performance. A scheme for appointment of a workers' representative on the Boards of Management of a few enterprises has been adopted. In the first instance, a worker-Director has been appointed in the Hindustan Antibiotics Limited, Pimpri.

Complaints made by Foreign Passengers against the Delhi Airport Branch of State Bank of India

4147. SHRI SUKHDEO PRASAD VERMA: Will the Minister of FINANCE be pleased to state:

(a) whether attention of Government has been drawn to the news item which appeared in "The Indian

Express" on the 24th July, 1973 regarding complaints made by foreign passengers against the Delhi Airport Branch of the State Bank of India in regard to the exchange of foreign currency; and

(b) if so, the necessary action taken in regard thereto?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). In regard to transactions involving conversion of currency notes the Reserve Bank of India lays down rates for sterling and dollar only. The current Rates specified by the Reserve Bank are as under:

	Bank's buying rate	Bank's selling rate
	Rs.	Rs.
Pound Sterling	18·50	19·10
U.S. Dollar	7·30	7·70

For other currencies authorised dealers and money changers are expected to adopt rates depending on market conditions. In addition, the rules provide for a commission on sale. For these reasons, it is quite likely that there may be a difference between the rate adopted by a bank and the official exchange rate. However, the Reserve Bank has advised the banks that where possible they should quote better rates to the public.

Trade Agreements with East-African countries

4148. SHRI Y. ESWARA REDDY: SHRI MUHAMMED SHERIFF:

Will the Minister of COMMERCE be pleased to state:

(a) whether the trade prospects between India and East Africa are very bright;

(b) whether Government have made any trade agreement with the East African countries; and

(c) if so, the salient features of the agreements?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir. There are good prospects for increasing trade between India and East Africa.

(b) and (c). Uganda is the only country in East Africa with which India has a trade agreement signed in 1965. This is a general purpose trade agreement and does not impose any obligations on either side.

Quantity of Cotton imported from Sudan, Egypt and other Countries

4149. SHRI VASANT SATHE: Will the Minister of COMMERCE be pleased to state:

(a) what has been the import of cotton from Sudan, Egypt and other countries in terms of quantity and import bill over the past three years, year-wise and source-wise;

(b) what has been the rate of import duty on cotton and the amount realised on this account; year-wise over past three years;

(c) whether the Millowners are pressurising Government for reduction in the import duty; and

(d) if so, whether Government have taken any decision in this regard and if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE):

(a) Year	Quantity in bales	Approximate value in Rs. crores
1	2	3
SUDAN		
1970-71 . .	2,09,000	26·96
1971-72 . .	3,23,200	42·75
1972-73 . .	2,01,100	29·39

1	2	3
ARE (EGYPT)		
1970-71 . .	1,78,625	31·26
1971-72 . .	1,45,700	28·43
1972-73 . .	57,075	11·41
USA		
1970-71 .	3,40,000	31·93
1971-72 .	27,300	3·64
1972-73 .	Nil	Nil
Others		
1970-71 . .	2,46,900	26·28
1971-72 . .	96,100	13·98
1972-73 . .	Nil	Nil
USSR (under the Cotton Converstion Deal)		
1970-71 .	Nil	Nil
1971-72 .	37,450	3·70
1972-73 .	72,550	7·28

(b) Year	Rate of Import duty	Amount realised in Rs. crores
1970-71 . .	10 paise per Kg.	1·45
1971-72 . .	10 paise per Kg. — 2 1 2 *advalorem*	2·22
1972-73 . .	40% *advalorem*	3·65

(s) and (d). Mills represented to the Government through the Indian Cotton Mills' Federation for reduction in import duty of 40 per cent advalorem introduced from 1-3-1973. The Government in the Ministry of Finance, however, did not agree to the reduction.

Decision in regard to allowing of Interest subsidy in Financing of Powerlooms in the Co-operative Sector

4150. SHRI M. M. JOSEPH: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have taken any decision on the question of allowing interest subsidy in the financing of powerlooms in the co-operative sector so as to enable the societies to get assistance at the concessional rate of interest of 4-1/2 per cent;

(b) if so, a gist thereof; and

(c) if not, the time by which it is likely to be decided?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (c). Attention is invited to the reply given to an identical question (Unstarred Question No. 3531) on the 17th August, 1973.

Steps for Hauling up Narcotics Traders in India

4151. SHRI A. K. M. ISHAQUE: Will the Minister of FINANCE be pleased to state what steps Government are taking for hauling up traders dealing in opium, hashish and narcotics, in India?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): The enforcement agencies of the State and the Central Governments, such as State Excise, Police, Drug Control Administration, Customs and Central Excise, Central Bureau of Investigation, Narcotics Department, Border Security Force, Railway Protection Force etc. are always on the alert to intercept persons engaged in illicit traffic in narcotics drugs. The watch extends to places in the interior as well as on the border. Meetings are periodically arranged amongst senior

officers of these organisations with a view to co-ordinate and strengthen the anti-smuggling measures.

Complete control over Raw Jute Trade

4152. SHRI PRABODH CHANDRA: Will the Minister of COMMERCE be pleased to state:

(a) whether there is a proposal to completely control the raw jute trade in the country; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) It is envisaged that, over a period of years, the Jute Corporation of India will be in a position to take over the entire trade in raw jute.

(b) This will curb speculation, assure a remunerative price to the farmers for their produce and also uninterrupted supplies of the fibre to the industry.

Proposal from Gujarat Government for Development of Ratanmal Hills as a Hill Station for Tourists

4153. SHRI P. G. MAVALANKAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have received a proposal from the State Government of Gujarat to develop Ratanmal Hills in Limkheda Taluka of Panchmahals District as a hill station for tourists; and

(b) if so, Government's reaction thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) No, Sir.

(b) Does not arise.

Return Targets for Public Sector Undertakings

4154. SHRI RAM PRAKASH:
SHRI PRABODH CHANDRA:

Will the Minister of FINANCE be pleased to state:

(a) whether Government have fixed any return target for the public sector undertakings; and

(b) if so, what?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) and (b). No, Sir. However, some guidelines have been laid-down to ensure a sound policy of appropriation of profits. The question of laying down financial and other targets for the public enterprises is being examined.

Agreement with Canada for import of Newsprint

4155. SHRI SUKHDEO PRASAD VERMA: Will the Minister of COMMERCE be pleased to state:

(a) whether an agreement has recently been signed with the Canadian Government for the supply of newsprint; and

(b) if so, the broad outlines of the agreement?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) The agreement provides for import of 64,000 tonnes of newsprint from Canada in 1973-74.

Conference of Chief Executive of Public Sector Undertaking

4157. SHRI K. LAKKAPPA:
SHRI P. GANGADEB:

Will the Minister of FINANCE be pleased to state:

(a) whether a Conference of Chief Executives of selected public sector undertaking was held in New Delhi on the 19th June, 1973;

(b) if so, whether measures to check corruption and lack of integrity in public ventures were discussed; and

(c) if so, the conclusions arrived at?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Yes, Sir. A Conference of Chief Executives was convened by the Central Vigilance Commission in New Delhi on June 19-20, 1973.

(b) Yes, Sir.

(c) It was decided that the Public Enterprises should set up fully functioning vigilance units manned by trained personnel wherever such units do not exist. The Conference decided that officers of the Public Enterprises drawing a basic pay of more than Rs. 1000 p.m. should be brought within the jurisdiction of the Commissioner for Departmental Inquiries. The Conference also decided to work out the major common elements of a Model Set of Conduct and Discipline Rules for the public undertakings to plug loop-holes in such matters as acceptance of gifts and hospitality, punishable offences, possession of assets disproportionate to income, procurement of insurance and other business agencies, private investment, lending and borrowing, submission of returns on movable and immovable property etc.

Supply of yarn to Weavers in Mysore State because of their sacrifice to fight drought conditions in North Karnatik-Gulbarga

4158. SHRI DHARAMRAO AFZALPURKAR:
SHRI C. K. JAFFER SHARIEF:

Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware that Mysore has fought the unprecedented drought conditions in the North Karnatik-Gulbarga, last year on a massive scale; and

(b) if so, whether Government have decided to help 3.5 lakh weavers in that area by supplying the yarn they needed most and if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) In order to help the weavers in the drought affected areas in the State, a special allotment of 54,450 kilograms of cotton yarn of counts 20s (Hanks) was made to the State in February, 1973.

The allotment to the State under the Voluntary Scheme of Distribution was also increased by 50,000 kilograms in December, 1972 over that of November, 1972, and allotments during December 1972—February 1973 were further increased by 50,000 kilograms. Subsequently the requirements of the State Government have been kept in view while making allocations under the statutory scheme.

Export of bicycles and spare parts

4159. SHRI RAJDEO SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether the Indian bicycles and spare parts worth Rs. 10.3 crores were exported to nearly a dozen countries during 1972-73;

(b) whether this export figure in the form of money is more or less than the preceding year;

(c) whether the bicycles export figures has a constant rising trend; and

(d) which country is the biggest buyers of our bicycles?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). During the year 1972-73, bicycles and parts valued at Rs. 10.55 crores were exported to nearly 80 countries, as against Rs. 8.04 crores during the last year (1971-72).

(c) Yes, Sir.

(d) Nigeria was the largest importer of bicycles and parts from India.

Collaboration for setting up an Industrial Estate in Zanzibar

4161. SHRI M. M. JOSEPH: Will the Minister of COMMERCE be pleased to state:

(a) whether Government propose to set up an industrial estate in Zanzibar with Indian collaboration; and

(b) if so, the broad outlines thereof and progress achieved in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). Yes, Sir; Government of India have agreed to assist the Zanzibar authorities in the setting up of an industrial estate on a turn-key basis and to send a team of Indian experts for this purpose. The composition of the team will be finalised shortly.

बुरहानपुर (मध्य प्रदेश) के बुनकरों को औद्योगिक ऋण उपलब्ध न होना

4162. **श्री गंगा चरण दीक्षित** : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या बैंकों के राष्ट्रीकरण के बाद भी धन कमी और औद्योगिक ऋणों के अभाव के कारण बुरहानपुर (मध्य प्रदेश) के बुनकर चाहे वे हथकरघे वाले हों या विद्युत चालित करघे वाले हों अपनी अपनी उत्पादन क्षमतायों का पूरा उपयोग नही कर सके हैं और न ही उत्पादन का स्तर बढ़ा सके हैं ; और

(ख) यदि हां, तो सरकार का इस बारे में क्या कार्यवाही करने का विचार है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज): (क) और (ख): जानकारी एकत्र की जा रही है और यथासमय सभा पटल पर रख दी जाएगी ।

इंडियन पायलट्स गिल्ड द्वारा इंडियन एयर लाइन्स के प्रबन्ध में प्रतिनिधित्व की मांग

4163. **डा० लक्ष्मीनारायण पांडेय** : क्या **पर्यटन और नागर विमानन** मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या इण्डियन पायलट्स गिल्ड द्वारा इंडियन लाइंस के प्रबन्ध में प्रतिनिधित्व की मांग की गई है; और

(ख) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है?

पर्यटन और नागर विमानन मंत्री (श्री कर्ण सिंह) : (क) जी नहीं । परन्तु भारतीय विमानचालक गिल्ड ने सुझाव दिया है कि एयर इंडिया के निदेशक मंडल के कम से कम एक तिहाई सदस्यों को कर्मचारियों में से नियुक्त किया जाना चाहिए ।

(ख) निदेशकों की नियुक्ति करने में सरकार द्वारा समस्त सम्बद्ध बातों को ध्यान में रखा जाता है ।

Cash subsidy for exports received by Export Houses

4164. SHRI JYOTIRMOY BOSU: Will the Minister of COMMERCE be pleased to state:

(a) the names and particulars of Export Houses who have received

cash subsidy for exports during the last two financial years;

(b) the amount of subsidy received by each;

(c) how far the cash subsidy scheme has helped boosting the countrys exports; and

(d) whether any irregularities have been detected in respect of distribution of cash subsidy and if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). Information is being collected, and will be laid on the Table of the House when received.

(c) The rising trend in exports particularly of non-traditional goods over the years is a clear indication of the utility of existing level of compensatory support.

(d) No irregularities in respect of distribution of compensatory support have come to our notice. However, information is being collected and will be laid on the Table of the House when received.

Submission of a Memorandum by All India National and Grindlays Bank Employees Federation Re: Shifting of Bank's Office in Calcutta

4165. SHRI JYOTIRMOY BOSU: Will the Minister of FINANCE be pleased to state:

(a) whether on the 18th July, 1973, All India National and Grindlays Bank Employees' Federation had submitted a memorandum to him on the reported move to shift the Bank's principal Office in India from Calcutta;

(b) if so, the content of the said memorandum; and

(c) what action, if any, has been taken on it?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (c). A statement showing the points raised in the memorandum of 18th July, 1973 and the action taken thereon is enclosed.

Statement

The important points raised in the memorandum dated the 18th July, 1973 from the All India National & Grindlays Bank Employees Federation and the action taken thereon are as follows :

1.	Shifting of the General Manager, National & Grindlays Bank Limited with 3 of his assistants from Calcutta to Bombay while retaining the General Manager's Office in Calcutta.	It has been indicated to the bank that the proposed shifting would be inadvisable without prior concurrence of State Government.
2.	Agreement with the First National City Bank for technical fees to that bank.	The payment of technical fees is governed by a technical service agreement between the National & Grindlays Bank Limited and First National City Bank valid to 31st March, 1974. In November, 1972 the Reserve Bank decided to regulate the appointments of any person/firm/banking institution/banking company incorporated outside India as adviser to banking companies in India for giving any technical or management advice. The prior approval of the Reserve Bank of India would be necessary for any such arrangement. National & Grindlays Bank Limited have noted to refer the matter to the Reserve Bank before they make arrange-

		ments for renewal of the arrangement in March 1974.
3.	Misappropriation of the monies lying in the pension fund in UK due to the Indian employees.	The National & Grindlays Bank Limited has reported to the Reserve Bank that it has not held at any time any pension fund in the United Kingdom in respect of Indian Staff.
4.	Revision of rules resulting in increase of the minimum balance in Savings Bank Accounts and Fixed Deposits and hardship caused thereby to small depositors.	Excepting for the rate of interest on deposits there are no other conditions imposed by the Reserve Bank on the operation of deposit accounts with commercial banks including foreign banks. It is open to the saving depositors who are not in a position to comply with the conditions prescribed by the banks to bank with the other banks particularly with the Indian banks.
5.	Transfer of buildings acquired/constructed and ewned by the bank in India to the books of the London office and consequent payment of rent by Indian branches to Head Office in London.	This is being looked into by the Reserve Bank of India.

Requests by West Bengal and Assam Governments for powers to take over closed and sick Tea Gardens

4166. DR. RANEN SEN: Will the Minister of COMMERCE be pleased to state:

(a) whether the Centre has turned down the request of West Bengal and Assam Governments for giving them powers to take over the closed and sick tea gardens in the States;

(b) if so, the reasons for turning down the request; and

(c) what are Centre's proposals for the rehabilitation of closed and sick tea gardens in these States?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (c). Certain proposals received from the Governments of West Bengal and Assam in this regard contained *inter alia* the request for powers to take over the closed/sick tea gardens in these States. These have since been considered by the Task Force on Tea. Government are examining further action to be taken having regard to the Task Force's recommendations for the rehabilitation of closed and sick tea gardens.

Unrest among the Employees of Life Insurance Corporation

4167. DR. RANEN SEN:
SHRI JHARKHANDE RAI:

Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to the news item under the caption 'LIC Staff Sore' in the "Economic Times" dated the 22nd June, 1973; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) The news-item relates mainly to the revision of D.A. in respect of Class III employees and Class I officers, in November, 1972 and March 1973. In so far as Class III employees

are concerned, their D.A. was revised as and when it fell due. As regards the Class I Officers, it has since been decided to revise their Adjustment Allowance of officers getting pay upto Rs. 800 p.m. In respect of officers getting pay of more than Rs. 800 the matter is under consideration. Prior approval of Government in the matter is necessary under the provisions of L.I.C. Act and its Staff Regulations.

The Annual Reports submitted by the LIC are being regularly laid before both the Houses of Parliament.

Reaction of Government to the News Item Captioned "Hope for LIC Officers"

4168. SHRI SARJOO PANDEY: Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention has been drawn to the news-item under the caption "Hope for L.I.C. Officers" appearing in the "National Herald" dated the 30th May, 1973; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir. The news item in question relates to the payment of Adjustment Allowance at increased rates to the Class I Officers, non-implementation of the proposal for employees participation in the management, demand of the federation for greater autonomy in the day to day functioning of the Corporation as recommended by A.R.C. and opening of more offices for better service to policy holders.

(b) (i) It has recently been decided to increase the adjustment allowance for officers getting pay upto Rs. 800 p.m. In the case of officers getting more than Rs. 800 p.m., the matter is under consideration.

(ii) It has not been possible to implement so far the Government's decision on the participation of the employees in management as the mechanism for giving representation to the employees has not yet been finalised.

(iii) Administrative Reforms Commission has recommended greater devolution of powers to the Divisional and branch offices. This is a continuing process and steps have been taken by suitable delegation to enable the branches to render essential policy holder's servicing functions.

Press Report Entitled "L.I.C. goes all out to help Monopolies"

4169. SHRI SARJOO PANDEY: Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to the report appearing in the 'New Wave' dated 17th June, 1973 under the caption "L.I.C. goes all out to help monopolies; and

(b) if so, the reaction of the Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir. The news item relates to the representation of the employees of the Corporation on its Board, alleged liberal investment in monopoly houses, demand for payment of increased adjustment allowance to Class I officers, the promotion and transfer policy of the Corporation and formation of a committee to consider amendments to the Staff Regulations.

(b) (i) It has not been possible to implement so far the Government's decision regarding the representation of the employees on the Board of Directors as the mechanism for giving representation to the employees has not yet been finalised.

(ii) The main principle governing investments by the LIC is that they should ensure good return consistent with safety of capital. To the extent that the monopoly Houses are given industrial licences, the LIC cannot deny funds to the worth-while proposals emanating from these Houses.

(iii) It has been recently decided to allow increases in adjustment allowance to the officers drawing pay upto Rs. 800 p.m. The case of officers getting more than Rs. 800 p.m. is under consideration.

(iv) The promotions in the Corporation are made on the basis of seniority, suitability and merit. Transfers are also made in the light of the needs of the Corporation.

(v) The employees' Associations in their fresh charter of demands have, *inter alia*, demanded amendment/modification/deletion of some of the provisions contained in the 'Staff Regulations 1960'. These demands will be discussed by the LIC at the time negotiations are held with the associations.

Laboratory Attendants and Laboratory Clerks Working in the Central Excise and Customs

4170. SHRI SARJOO PANDEY: Will the Minister of FINANCE be pleased to state:

(a) whether any decision has been taken by the Central Board of Excise and Customs on the question of changing the designation of Laboratory Attendants and Laboratory Clerks in their Laboratories to Junior and Senior Laboratory Assistants respectively; and

(b) if not the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) and (b). The question of changing the designations of Laboratory Attendants and Laboratory Clerks is closely linked with the question of prescription of revised scales of pay for these posts in the light of the recommendations made by the Third Pay Commission. The matter is still under consideration.

Adoption of Teller System by Nationalised Banks in Capital

4171. SHRI SHASHI BHUSHAN: Will the Minister of FINANCE be pleased to state:

(a) the number of Nationalised Banks in the Capital which have adopted the teller system and the names thereof;

(b) whether due to this system not being adopted by the other Banks, the customers have to wait for long to take or deposit cash; and

(c) whether Government propose to issue directions to all the Nationalised Banks in the Capital to adopt Teller System and if not, the reasons therefor?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) The State Bank of India, Punjab National Bank, Central Bank of India and Union Bank of India have introduced teller system in some of their branches in Delhi/New Delhi.

(b) The banks which have not introduced the teller system are of the view that the present system followed by them is such that it generally ensures quick service to the customers.

(c) Certain other nationalised banks have either introduced the teller system in some of their branches outside the Capital or are considering its introduction. The recommendation of the Banking Commission in this regard for introduction of 'Teller System' in all banks at all important branches is under Government's active consideration.

Crisis in Mica Industry

4172. SHRI SHASHI BHUSHAN: Will the Minister of COMMERCE be pleased to state:

(a) whether the attention of Government has been invited to the news item under the caption 'Mica Units face crisis' which appeared in the "Economic Times" dated the 28th July, 1973 to the effect that the Mica industry is facing a crisis; and

(b) the reaction of Government thereto and the steps taken to help the industry?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) The M.M.T.C. is reserving 30 per cent of the orders for mica received from foreign buyers for servicing them through the weaker section of the trade since 1st January, 1972. There was some set-back in the exports of mica in the first half of the year but the MMTC has since finalised sufficient contracts which would arrest any further decline in exports of mica.

Cotton Textiles Export Falling

4173. SHRI SHASHI BHUSHAN: Will the Minister of COMMERCE be pleased to state:

(a) whether the attention of Government has been invited to the report appearing in the 'Financial Express' dated the 13th July, 1973 under the heading "Cotton Textiles Export Falling"; and

(b) if so, the reaction of Government thereto and the steps taken to improve the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) Exports of cotton textiles during the first 6 months of 1973 are higher than export during the same period of 1972. There was a fall in June, 1973, but exports in July were at Rs. 15.98 crores. The industry has already accepted voluntarily an export obligation to export 15 per cent of its production during January-December, 1973, Government is watching the export performance and will consider if any steps are necessary.

Offer of Assistance by Indian Air Force in the Supervision and Servicing of I.L.S. at Palam Airport

4174. SHRI VIKRAM MAHAJAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Indian Air Force has offered assistance in the supervision and servicing of the Instrument lending System at the Palam Airport;

(b) when such an offer was made and the decision taken by his Ministry on the offer; and

(c) the reasons for delay in taking a decision in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) No, Sir.

(b) and (c). Do not arise.

पूंजीगत वस्तुओं के लिये आयात लाइसेंसों के बदले निर्यात दायित्व

4175. **श्री मूल चन्द डागा :** क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गत वर्ष और इस वर्ष पूंजी वस्तुओं के आयात के लिये जिन व्यक्तियों को लाइसेंस दिये गये हैं उनके नाम क्या हैं और किन वस्तुओं के लिये लाइसेंस दिये गये थे ;

(ख) क्या लाइसेंस देते समय यह शर्त रखी गई थी कि आयात कर्त्ता अपने उत्पादों

का निर्धारित मात्रा में निर्यात करेंगे; और

(ग) यदि हां, तो उक्त व्यवस्था के अन्तर्गत गत वर्ष और इस वर्ष कितने मूल्य की वस्तुओं का निर्यात किया गया, निर्यातकर्त्ताओं के नाम क्या हैं तथा उनके द्वारा कितना कितना माल निर्यात किया गया ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) अपेक्षित जानकारी प्रकाशित दस्तावेज अर्थात् औद्योगिक लाइसेंसों आयात लाइसेंसों और निर्यात लाइसेंसों के साप्ताहिक बुलेटिनों के रूप में उपलब्ध है जो कि अंक संकलन निदेशक, आयातनिर्यात मुख्य नियंत्रक का कार्यालय द्वारा जारी किया जाता हैं । यह जानकारी इन साप्ताहिक बुलेटिनों से प्राप्त की जा सकती है, जिनकी प्रतियां संसद पुस्तकालय में उपलब्ध हैं ।

(ख) अपेक्षित जानकारी एकत्र की जा रही है और यथासमय सभा पटल पर रख दी जाएगी ।

(ग) पूंजीगत माल लाइसेंस पर लागू किया जाने वाला निर्यात दायित्व सामान्य तौर पर ऐसे लाइसेंसों के आधार पर आयातित संयंत्र तथा मशीनरी के लगाये जाने चालू किये जाने की तारीख के 19 महीने बाद शुरू होता है । अतः अप्रैल/1972–मार्च '73 की अवधि के दौरान जारी किये गये निर्यात दायित्व वाले पूंजीगत माल लाइसेंसों के मामले में निर्यात दायित्व की अवधि 1 सितम्बर, 1973 से ही शुरू होगी । अतः प्रश्न के इस भाग के अन्तर्गत अपेक्षित जानकारी देना अभी समय पूर्व है ।

वर्ष 1973 के दौरान हुई विमान दुर्घटनाओं में यात्रियों को दिये गये मुआवजे की कसौटी

4176. **श्री मूल चन्द डागा** : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि : (क) 1 जनवरी, 1973 से अब तक विमान दुर्घटनाओं में यात्रियों को मुआवजे के रूप में कुल कितनी धनराशि दी गई और वह किस आधार पर दी गई; और

(ख) प्रत्येक यात्री को कितनी कितनी धनराशि दी गई ?

पर्यटन और नागर विमानन मंत्री (श्री कर्ण सिंह): (क) और (ख) : इंडियन एयरलाइंस में इस प्रकार की केवल एक दुर्घटना हुई है, अर्थात् 31 मई 1973 को एक बोइंग 737 का आभागा ध्वंस । पांच कार्मिकों सहित 48 व्यक्ति मारे गये । 17 व्यक्ति जीवित बचे जिनमें 2 कार्मिक थे ।

यात्रियों के संबंध में वाहक की देयता निम्न प्रकार है :–

अन्तर्देशीय वाहन

(i) यात्री की मृत्यु अथवा किसी शारीरिक चोट, जिसके परिणामस्वरूप स्थायी विकलांगता हो जाए, की दशा में	1,00,000/– रुपये, यदि यात्री 12 वर्ष अथवा इससे अधिक आयु का हो; 50,000/– रुपये यदि यात्री 12 वर्ष से कम आयु हो ।
(ii) किसी यात्री को दो ऐसे चोट जिसके परिणामस्वरूप स्थायी विकलांगता हो जाए, की दशा में ।	100/– अथवा प्रति दिन अथवा 20,000 रुपए जो भी कम हो ।

अंतराष्ट्रीय यात्रियों के मामले में, दिया जाने वाला मुआवजा 1929 के वारसा कन्वेंशन तथा 1965 के हेग प्राटोकोल के अंतर्गत दिया जाता है। कैरिज बाई एयर एक्ट, 1972 जिसके द्वारा वारसा कन्वेंशन तथा हेग प्राटोकोल को प्रभावी बनाया गया है 15 मई, 1973 से लागू हुआ। एक्ट (वारसा कन्वेंशन) की प्रथम अनुसूची के अंतर्गत मुआवजे की राशि 1,25,000 फ्रेंक तक सीमित की गयी है (जोकि वर्तमान विनिमय दर के अनुसार लगभग 65,00 रुपये के बराबर है)। एक्ट (हेग प्राटोकोल) की द्वितीय अनुसुची के अंतर्गत मुआवजे की राशि 2,50,000 फ्रेंक तक सीमित की गयी है (जोकि वर्तमान विनिमय दर के अनुसार 1,30,000 रुपये के बराबर है)।

टिप्पणी

प्रथम अनुसूची में दिया गया मुआवजा तभी लागू होगा यदि यात्री की टिकट पर दिखाये गये प्रस्थान तथा गन्तव्य स्थान उन दो के अंतर्गत स्थित है जो कि वारसा कन्वेंशन को मानने वाले पक्ष है।

दूसरी अनुसूची में दिया गया मुआवजा तभी लागू होगा यदि यात्री की टिकट पर दिखाए गए प्रस्थान तथा गन्तव्य स्थान उन दो राज्यों की सीमा के अंतर्गत स्थित है जोकि हेग प्राटोकोल को मानने वाले पक्ष हैं।

आठ मृत यात्रियों के संबंध में मुआवजे के दावों को निबटाया जा चुका है; प्राप्त हुए अन्य दावों पर कार्यवाही की जा रही है। बचने वाले 15 यात्रियों में से प्रत्येक को 2,000 रुपये की राशि दी गयी जिससे चिकित्सा के दौरान उनके जेब खर्च में सहायता मिल सके।

इंडियन एयरलाइंस को एक जीवित बचे यात्री के संबंध में एक बिल प्राप्त हुआ है तथा एक अन्य से अस्थायी विकलांगता के कारण एक दावा प्राप्त हुआ है। इनमें से एक दावे का अब निपटान किया जा चुका है तथा दूसरे के निबटाने के लिए कार्यवाही की जा रही है।

राष्ट्रीयकृत बैंकों द्वारा किसानों को लाभ

4177. **श्री मूल चन्द डागा** : क्या वित्त यह बताने की कृपा करेंगे कि

(क) क्या सरकार का ध्यान 6 जून, 1973 के 'हिन्दुस्तान' पृष्ठ 4 पर किसानों को बैंकों से पूरा लाभ नहीं' शीर्षक के अन्तर्गत प्रकाशित समाचार की ओर है दिलाया गया है; और

(ख) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशीला रोहतगी) : (क) जी, हां।

(ख) कृषि के क्षेत्र में विशेषकर छोटे किसानों को दिये जाने वाले ऋणों में वृद्धि करने के लिये सरकारी क्षेत्र के बैंक कुछ कदम उठा रहे हैं जैसे देहाती क्षेत्रों में बड़ी संख्या में शाखाएं खोलना, और अधिक तकनीकी क्षेत्रीय कर्मचारियों की भर्ती करके अपने संगठनात्मक तंत्र को सुदृढ़ करना, ऋण सम्बन्धी कार्यप्रणाली और आवेदनपत्रों को सरल बनाना। बैंक विशिष्ट क्षेत्रों में और अधिक वित्त व्यवस्था करने के कार्यक्रम तैयार कर रहे हैं तथा विशिष्ट क्षेत्रों के कार्यक्रम भी ध्यान अपना रहे हैं। 8 राज्यों

में किसानों के लिये ऋण की सुविधायें प्रदान करने के लिये के प्राथमिक सहकारी सहमितियों को भी ऋण दे रहे हैं। सरकारी क्षेत्र के अधिकांशबैंकों ने जोत आकार के अनुसार ब्याज की रियायती दरों पर ऋण देना शुरू कर दिया है और छोटे तथा सीमान्तक किसानों के ऋण के प्रस्तावों पर होने वाला कानून खर्च से मुक्त रख रहे हैं वे छोटे सीमान्तक किसानों और कृषि मजदूर अभिकरण को अपने ऋण सम्बन्धी कर्यक्रमों में भी सक्रिय रूप से शामिल कर रहे हैं।

Allotment of additional foreign exchange for the import of woollen rags

4178. SHRI D. K. PANDA:
SHRI C. K. JAFFER SHARIEF:

Will the Minister of COMMERCE be pleased to state:

(a) whether Government have lately allotted additional foreign exchange for the import of woollen rags and propose to allot some more exchange for the purpose; and

(b) if so, the amount thereof and the total quantity of woollen rags proposed to be imported this year?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) No, Sir.

(b) The Total actual user allocation of foreign exchange for import of rags is Rs. 1.80 crores for the wool year 1972-73; in view of the frequent variations in prices abroad, it would be difficult to assess the quantity which would be imported.

News-Item Captioned 'Delhi I.L.S. again Out of Order'

4179. SHRI VAYALAR RAVI:
SHRI G. P. YADAV:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have noticed the report appearing in the 'Times of India' dated the 2nd August, 1973 under the caption "Delhi ILS again out of order"; and

(b) if so, the reaction of Government thereto and the steps taken in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Yes, Sir. The newspaper report is incorrect. The Instrument Landing System had been temporarily removed from service for some time on the 31st July, 1973, to enable the Expert Consultant of the manufacturers who had been specially invited for the purpose to thoroughly check the facility. The examination revealed that the Instrument Landing System was functioning normally within the prescribed tolerances.

Construction of Low Priced Hotels in the Country

4181. SHRI SAT PAL KAPUR:
SHRI P. G. MAVALANKAR:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government propose to encourage the construction of more low-priced hotels in the country;

(b) if so, the places where such new hotels are likely to be located; and

(c) the number of such hotels constructed during 1972-73 with location thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) to (c). It is the policy of Government to encourage the construction of hotels of adequate standards to suit various income groups, and incentives such as tax and fiscal reliefs, financial assistance etc. are available to hotels of all categories ranging from 1-Star to 5-Star, which have been approved from the point of view of their suitability for foreign

tourists. Although a number of hotel projects have been approved at various tourist centres all over the country, it is not possible to indicate the locations of those which will cater to the low income group, as the tariffs charges at these hotels will be determined only on their completion, relevant to the facilities they offer.

Government have not set up any such low-priced hotels during 1972-73. However, the Department of Tourism and the India Tourism Development Corporation (a public sector undertaking) have plans to cater for the accommodation requirements of the low and medium income groups through the provision of supplementary accommodation in the form of motels, travellers lodges, forest lodges, youth hostels and camping sites.

Demand made by Federation of LIC Class I Officers Association for revision of anti-labour staff Regulations

4182. SHRI JHARKHANDE RAI: Will the Minister of FINANCE be pleased to state:

(a) whether the Federation of Life Insurance Corporation Class I Officers' Association has demanded the revision of the "Anti-Labour" staff Regulations; and

(b) if so, what steps Life Insurance Corporation has taken to have them reviewed?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The Association in their Charter of Demands has amongst other things demanded amendment/modification/ deletion of some of the Regulations contained in the Staff Regulation, 1960. These demands will be discussed by the L.I.C. at the time negotiations are held with the Association.

Non-Implementation of Agreement entered into between L.I.C. and Federation of LIC Class I Officers' Association

4183. SHRI JHARKHANDE RAI: Will the Minister of FINANCE be pleased to state:

(a) whether the agreement dated the 29th March, 1973 entered into between the Life Insurance Corporation of India and the Federation of Life Insurance Corporation Class I Officers' Association has not been honoured by the Life Insurance Corporation; and

(b) if so, what steps Government are taking to implement the provisions of the said agreement?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) During discussions with the Class I Officers, the Chairman expressed the hope that the decision regarding increase in the Adjustment Allowance might be given by the 15th April. This expectation could not be fulfilled as Government had to examine the matter very carefully which took some more time.

(b) It has since been decided to increase the Adjustment Allowance of Officers drawing pay upto Rs. 800 p.m. The case of officers drawing pay above Rs. 800 is still under consideration of Government.

Aid given by International Development Association for Projects in India

4184. SHRI RAGHUNANDAN LAL BHATIA:
SHRI VIRBHADRA SINGH:

Will the Minister of FINANCE be pleased to state the names of the projects for which aid has been given by the International Development Association during the last three years?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): A statement is laid on the Table of the House.

STATEMEUT

Names of the Project for which aid has been given by International Development Association since 1-4-1970.

Sl. No.	Name of the Project	Date of Agreement	Amount S Million
1.	Sixth Industrial Imports Project	24-4-70	75·00
2.	Gujarat Agricultural Credit Project	3-6-70	35·00
3.	Punjab Agricultural Credit Project	24-6-70	27·50
4.	Andhra Pradesh Agricultural Credit Project	8-1-71	24·40
5.	Agricultural Aviation Project	28 1·71	6·00
6.	Fourth Telecommunications Project	3 5-71	87·00
7.	Second Power Transmission Project	3-5-71	75·00
8.	Haryana Agricultural Credit Project	11-6-71	25·00
9.	Tamil Nadu Agricultural Credit Project	11-6-71	35·00
10.	Cochin Stage II Fertiliser Project	30-7-71	20·00
11.	Wheat Storage Project	23-8-71	5·00
12.	Pochampad Irrigation Project	23-8-71	39·00
13.	Mysore Agricultural Credit Project	7-1-72	40·00
14.	Gorakhpur Fertiliser Project	7-1-72	10·00
15.	Eleventh Railways Project	24-1-72	75·00
16.	Maharashtra Agricultural Credit Project	29-3-72	30·00
17.	Bihar Agricultural Markets Projec's	29-3-72	14·00
18.	Population Project (Msyore & UP)	14-6-72	21·20
19.	Seventh Industrial Imports Project	26-9-72	75·00
20.	Shipping Project	26-9-72	83·00
21.	Agricultural Education Project (Agricultural Universities of Assam ;& Bihar)	10-11-72	12·00
22.	Industrial Development Bank of India Project	9-2-73	25·00
23.	Nangal Fertiliser Expansion Project	9-2-73	58·00
24.	Third Power Transmission Project	9-5-73	85·00
25.	Mysore Agricultural Wholesale Markets Project	9-5-73	8·00
26.	Bombay Water Supply and Sewarage Project	8-6-73	55·00
27.	Madhya Pradesh Agricultural Credit Project	8-6-73	33·00
28.	Uttar Pradesh Agricultural Credit Project	8-6-73	38·00
29.	Eighth Industrial Imports Project	25-6-73	100·00
30.	Fifth Telecommunications Project	25-6-73	80·00

Raising of Income-tax Exemption Limit

4185. SHRI P. GANGADEB: Will the Minister of FINANCE be pleased to state:

(a) whether there is any proposal to increase the present exemption limit of Rs. 5,000 for the purpose of Income-tax; and

(b) if so, the new exemption limit proposed to be fixed?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) No, Sir.

(b) The question does not arise.

Meeting of Advisory Council of Customs and Central Excise, held in June, 1973

4186. SHRI P. GANGADEB:
SHRI K. LAKKAPPA:

Will the Minister of FINANCE be pleased to state:

(a) whether a meeting of the Customs and Central Excise Advisory Council was held in New Delhi on the 15th June, 1973;

(b) if so, the subjects discussed in the meeting;

(c) whether the collection of Central Excise duties through banks was also considered; and

(d) if so, the decision taken?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Yes, Sir.

(b) The Council discussed general problems of procedures relating to the clearance of goods and passengers in so far as they concern the Customs & Central Excise Laws, rules and procedure.

(c) and (d). The question regarding acceptance of central excise duty by the nationalised banks was discussed in an earlier (17th) meeting of the Council held at Banaglore in June, 1972, when a decision was taken to open 50 pilot centres, where the nationalised banks could be entrusted with the task of collection of Union duties. While mentioning the progress achieved in the matter, the Council, during the 18th meeting held on 15th June, 1973, was informed that a list of 52 pilot centres, where the nationalised banks could transact Government business, had been drawn up in consultation with the trade and the Collectors of Central Excise and forwarded to the Reserve Bank of India. Further action in regard to authorisation of the nationalised banks in these pilot centres, is in progress.

Profits earned by STC during the last three years

4187. SHRI P. GANGADEB: Will the Minister of COMMERCE be pleased to state what are the profits earned by the State Trading Corporation during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): The profits earned by the S.T.C. in the last three years were as follows:

			Crores of Rupees
	1970-71	1971-72	1972-73
Profit before tax	6.4	14.2	11.7
Profit after tax	1.7	5.2	5.1

Share of LIC in private sector undertakings

4188. SHRI P. GANGADEB:
SHRI K. LAKKAPPA:

Will the Minister of FINANCE be pleased to state:

(a) whether the Life Insurance Corporation is a major shareholder in a large number of private sector undertakings; and

(b) if so, the guidelines issued regarding the manner in which Life Insurance Corporation should participate in the management and control of these undertakings?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) The statutory framework for the LIC's investments is contained in section 27A of the Insurance Act (as applied to it). The following table shows the number of public limited companies in the private sector wherein LIC's equity holding is 20 per cent. and over to the total subscribed equity capital of the companies:

No. of companies	Ratio of LIC's holding to to subscribed equity capital lat
11	30% and over
19	25% to less than 30%
43	Over 20% to less than 25%

(The above date of holding is compiled as on 31st March, 1972 and pertains to Life Department).

(b) The "Guidelines" issued by the Government envisage *inter alia* the appointment of nominees of the board of companies where substantial financial assistance in the form of underwriting and/or subscriptions to share capital or grant of term loans has been provided by the public financial institutions. As a consequence, LIC has started stipulating in the relative underwriting/subscriptions and term loan arrangements a condition reserving the right to appoint a nominee on the Board. The LIC has already appointed its nominees on the Boards of 20 companies so far.

Participation of Indian Representation in Tokyo meet aimed at Liberalising World Trade

4189. SHRI RAJDEO SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether the Indian representative participated in a meet in Tokyo in which nearly 70 countries came to an agreement on the 26th July, 1973 on a political declaration thereby clearing the way for talks aimed at liberalising world trade due to open in Tokyo in coming September;

(b) if so, whether talks were a success from the point of view of our national interest; and

(c) whether the said declaration agreed to pay special attention to the problems of the least developed nations and to treat topical products would be as a special and priority sector?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEOGE): (a) The meeting will take place in Tokyo on September 12, 1973.

(b) and (c). Do not arise.

Promotional campaign for black tea in Japan by Tea Board

4190. SHRI RAJDEO SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether the Tea Board plans to intensify its promotional campaign in Japan which has now emerged as a bulk consumer of black tea;

(b) if so, which countries are the second and third highest consumers of our black tea; and

(c) whether export of our black tea has appreciably increased to these countries in recent years?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) Japan is, however, not the largest importer of black Indian teas. U.K., U.S.S.R., and Sudan in that order were the first three big consumers of Indian black tea during the year 1972

(c) Export of black teas to U.K. declined in 1972 in comparison to 1971 and 1970. Exports to USSR and Sudan on the other hand increased in 1972 compared to 1971 and 1970. Japan imported 0.6 million kgs. of black tea from India during 1972 as compared to 1.0 m. kgs. in 1971 and 0.8 m. kgs. in 1970.

Increase in Export of Cashew Kernal

4191. SHRI RAJDEO SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether during 1972-73 the cashew kernal export was of the highest value;

(b) also whether this is the result of steady efforts to raise the export from year to year; and

(c) if so, whether the tempo of rising export will be maintained in coming years?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). Yes, Sir.

(c) Increase in the export of cashew kernels in coming years will depend on the availability of rawnuts especially from overseas sources. The level of imports from these sources is, however, likely to diminish. Efforts are being made to increase the indigenous production and also to find other sources of supply from abroad to obtain a higher level of exports.

Financial Assistance to Orissa

4192. SHRI GIRIDHAR GOMANGO: Will the Minister of FINANCE be pleased to state:

(a) the amount released by the Centre to meet the drought and flood conditions in Orissa State in the years 1971-72 and 1972-73; and

(b) whether all the money has been spent by the Government of Orissa to give relief to the people?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R. GANESH): (a) and (b). During 1971-72, against State Government's reported expenditure of Rs. 18.86 crores on flood and cyclone relief, Central assistance released to the State Government was of the order of Rs. 15.11 crores. During 1972-73 against the State Government's reported expenditure of Rs. 15.39 crores on account of floods, cyclone and drouhgt relief the Central assistance released to the State Government was Rs. 9.52 crores.

Arrangements by Manipur Government for supply of yarn at cheapest rates to Manipur weavers

4193. SHRI N. TOMBI SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether Government of Manipur have made special arrangements to supply adequate quantity of yarn at the cheapest possible rates and of the correct counts to the weavers of Manipur who are reported to be suffering due to inability to get correct counts at reasonable prices;

(b) if so, the broad outlines thereof and if not, the reasons therefor;

(c) the present manner of procurement and distribution of the yarn; and

(d) whether Government are thinking of inviting some experts to study the problem and to suggest ways and means for a solution and if so when such a study is likely to be made?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Government have no information.

(b) Does not arise.

(c) Under the Statutory Control on production, pricing and distribution of cotton yarn, bulk allotments of yarn about counts 40s are made by the Textile Commissioner to the Government of Manipur and the actual distribution to the weavers is made by the Government of Manipur through their nominees out of the bulk allotments made to them by producing the yarn from the mills in whose favour allotments are made. Yarn of counts upto 40s is now available to the weavers through traditional channels.

(d) No such proposal is under consideration of Government.

Request from U.P. Government for special Assistance for Development of Tourism in the State

4194. SHRI N. TOMBI SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Government of Uttar Pradesh have requested the Government of India for special assistance in the matter of development of tourism in the State with particular reference to the re-organisation of the entire State into three complexes namely, Rama, Krishna and Budha for tourist purposes;

(b) if so, the nature of the assistance sought and the reaction of the Government of India thereto;

(c) whether the Government of India are aware that the Krishna complex comprising several pilgrim places in the District of Mathura is in need of immediate attention of the Central Tourist Department in view of the difficult conditions prevailing there on the one hand and the massive tourists attraction on the other; and

(d) if so, the steps taken or being taken in this behalf?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) to (d). No proposals for Central assistance have been received from the Government of Uttar Pradesh for the development of such facilities. The State Government has, however, made a provision for the development of religio-cultural places in its Fifth Plan on Tourism. In the Central Sector it is proposed to develop selected Buddhist centres in U.P. during the Fifth Plan.

Comprehensive Tourist Scheme for Tourist Attractions in Manipur

4195. SHRI N. TOMBI SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Government of Manipur are preparing a comprensive tourist scheme to provide more tourist attractions in Manipur;

(b) if so, the broad outlines thereof and the existing arrangements for tourism there;

(c) the number of tourist bungalows incomplete or rendered useless for want of tourist attractions in the vicinity of the bungalows; and

(d) the steps being taken to develop the surroundings of the newly constructed tourist buildings at Waithou-Kaina and other places?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR KARAN SINGH): (a) and (b). Detailed proposals for development of tourism in Manipur are awaited from the State Government and are likely to be discussed with the Planning Commission during the current month.

(c) and (d). The Central Government have not taken up construction of any tourist bungalows in Manipur.

Delay in the construction of Terminal Building at Imphal Airport

4196. SHRI N. TOMBI SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the attention of Government has been drawn to the inordinate delay in the proposed construction of the terminal building at Imphal Airport;

(b) if so, the action Government propose to take to quicken the construction;

(c) whether the prevailing local market rates in Manipur were not taken into account at the time of calling the first tenders as a result of which there was no response from any contractor; and

(d) if so, Government reaction thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Government are aware that there has been some delay in constructing a new terminal building at Imphal. The possibility of adopting alternative specifications for the terminal building to reduce its cost is under examination.

(c) The prevailing market rates were taken into account while preparing the estimate of expenditure.

(d) The estimate of expenditure with alternative specifications for the terminal building, is under formulation.

Rise in domestic prices as a result of increased cost of imports

4197. SHRI BHOGENDRA JHA: Will the Minister of FINANCE be pleased to state:

(a) whether the country is likely to face additional inflationary pressure during the coming months and over the next year with the increased cost of imports giving a push to domestic prices; and

(b) if so, what measures are being taken to ensure that imports do not lead to a rise in the domestic prices?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) It is no doubt true that an increase in the prices of imported raw materials like crude Petroleum, metals and fertilizers is likely to raise domestic costs and prices.

(b) Through such measures as efficient procurement of imported raw materials, control cover prices and distribution of selected essential commodities and increase in domestic production of imported materials, every effort is being made to reduce the impact of higher import costs on the domestic price level.

Deposits and capital assets of and credits advanced by nationalised, private and foreign banks

4198. SHRI BHOGENDRA JHA: Will the Minister of FINANCE be pleased to state the total deposit and capital assets of and the credits advanced by each of the nationalised and private banks including foreign banks on the basis of latest figures available?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): Available information is set out in the statements I and II laid on the Table of the House. [*Placed in Library. See* No. LT-5484/73]

Nationalisation of private and foreign Banks in India

4199. SHRI BHOGENDRA JHA: Will the Minister of FINANCE be pleased to state:

(a) whether it is proposed to nationalise the remaining private banks, including foreign banks, to bring uniformity and homogeniety in the banking system of the country; and

(b) if not, the reasons therefor?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). The reasons for not nationalising the remaining private banks including the foreign banks have been indicated to Parliament on more than one occasion. There is no change in the Government's stand in this regard.

Additional Assistance to Textile Industry to meet its Export commitments

4200. SHRI C. JANARDHANAN: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have decided to provide additional assistance to the textile industry to meet its export commitments for the period October, 1973 to 31st March, 1974; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) The Cash Assistance Scheme which is being operated by the Indian Cotton Mills' Federation, on a voluntary basis, has not yet been announced by it for the period 1-10-73 to 31-3-74.

(b) Does not arise.

Complaint regarding Non-clearing of Incentives by Indian Cotton Mills' Federation

4201. SHRI C. JANARDHANAN: Will the Minister of COMMERCE be pleased to state:

(a) whether the textile importers have complained that the Indian Cotton Mills' Federation is holding them to ransom by not clearing the incentives due to them since January this year;

(b) whether Government have looked into the complaints; and

(c) if so, what action has been taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) The Indian Cotton Mills' Federation has been operating on a voluntary basis, a scheme of assistance for exports of cotton textiles. There have been representations that amounts due under the Scheme have not been paid.

(b) Yes, Sir.

(c) The Indian Cotton Mills' Federation are expected to clear the arreas from funds which will be available to them from M.D.F. and their voluntary collections.

Extension of date for filing income tax and wealth tax returns due to non-availability of revised forms

4202. SHRI G. Y. KRISHNAN: Will the Minister of FINANCE be pleased to state:

(a) whether the non-availability of the revised forms for filing returns of income and net wealth tax has compelled Government to extend the time for filing of returns for the current assessment year upto 15th August, 1973; and

(b) if so, the facts of the matter?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Yes, Sir.

(b) Printing of return of income and net wealth forms was not complete in time due to scarcity of paper. Moreover there was delay in lifting of parcels by the railways due to priority given to movement of foodgrains.

हवाई अड्डेवार उन परियोजनाओं के नाम जिन के लिये सरकार द्वारा पांचवी योजना में धन देने का निर्णय किया गया

4203. **श्री घनशाह प्रधान** क्या पर्यटन और नागरपविमानन मंत्री यह बताने की कृपा करेंगे कि हवाई अडकू डेवार उनपरियोजनाओं के नाम क्या हैं जिनके लिऐ सरकार ने पांच पंचवर्षीय योजना में धन आवंटित करने पर निर्णय किया है और प्रत्येक पर कितना धन व्यय किया जाएगा ।?

पर्यटन और नागर विमानन मंत्री (डा० कर्ण सिंह) : पांचवीं योजना के अंतर्गत विभिन्न विमान पत्तनों हवाई अड्डों से संबंधित प्रस्तावों पर सरकार अभी विचार कर रही है ।

Reconstitution of Jute Boards

4204. SHRI DHAN SHAH PRADHAN: Will the Minister of COMMERCE be pleased to state:

(a) whether representation has been submitted to Government for the reconstitution of Jute Boards with 50 per cent representation from the labour class; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) No, Sir.

(b) Does not arise.

Guidelines issued to commercial banks for drawing up three year plans for Branch Expansion

4206. SHRI ARJUN SETHI: Will the Minister of FINANCE be pleased to state:

(a) whether the Commercial banks have been asked to draw up three-year plan for Branch Expansion covering the period 1973-75; and

(b) if so, the guide-lines issued to the banks in this regard?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) Yes, Sir.

(b) The Three Year Plan of branch expansion covering the period 1973-1975 is the first of the rolling plans that the commercial banks have been asked to draw up hereafter. The Plan for the first year is to be more detailed, while those for the subsequent two years are to be in aggrgative terms. Informulating these plans, the banks have been advised to keep in view the requirements of their lead district and the need for giving priority to the relatively under-developed/ underbanked States in the matters of branch expansion. The Lead Banks have been specifically asked to devote greater attention to opeing of branches in such lead districts as had population per bank office exceeding 1,00,000 as at the end of June, 1972.

Opening of Branch of Nationalised Banks at Tihidi (Orissa)

4207. SHRI ARJUN SETHI: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 9190 on the 4th May, 1973 and state:

(a) whether the proposed branch of the nationalised bank has since been opened at Tihidi (Orissa) as per schedule; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The United Commercial Bank could not open its proposed branch at Tihidi (Orissa) as per schedule for want of suitable permises. The bank has reported that the necessary arrangements have since been made to open the branch before the end of September, 1973.

Loan advanced to unemployed Graduates by Nationalised Banks in Orissa

4208. SHRI ARJUN SETHI: Will the Minister of FINANCE be pleased to state:

(a) the number of unemployed Graduates who received loans from the nationalised banks for running business in Orissa during the last three years; and

(b) the amount of loan advanced to them in the different Districts of Orissa so far?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The information to the extent feasible is being collected and will be placed on the Table of the House.

Loan granted by the Bhadrak Branch of State Bank of India

4209. SHRI ARJUN SETHI: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 5561 on the 22nd December, 1972, and state:

(a) whether the requisite information has since been collected; and

(b) if so, the broad outlines thereof?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO B. CHAVAN): (a) and (b). The informaion received from State Bank of India is set out below:

Statement showing outstanding advances in respect of Agriculture, Small business and Small Scale Industry granted by Bhadrak Branch of the State Bank of India.

Year	Amount outstanding (Rs. lakhs)
1970	40·92
1971	43·03
1972	43·42

Increase in the earnings of Foreign Exchange by Government-run Hotels during 1972-73

4210. SHRI VARKEY GEORGE:
SHRI R. N. BARMAN:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there has been an increase in the earnings of foreign exchange during 1972-73 by Government-run hotels in the country; and

(b) if so, to what extent?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Yes, Sir. The foreign exchange earnings of the hotels run by India Tourism Development Corporation recorded an increase of Rs. 67.89 lakhs or 27.7 per cent in 1972-73 compared to those in 1971-72.

Fixing of prices of essential commodities under D.I.R.

4211. SHRI VARKEY GEORGE: Will the Minister of FINANCE be pleased to state:

(a) whether at some places in the country the prices of essential commodities have been fixed by an order under D.I.R. during the last month; and

(b) if so, the names of the places and commodities and the prices fixed by Government and the steps taken by Government to fix their prices in the whole of the country?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). The State Governments are competent, under the Defence of India Rules, to fix fair prices of essential commodities other than food stuffs. As regards the latter, no proposal was received by the Centre from the State Governments till July, 1973.

Agreement with Ethiopian Airlines for operation of scheduled flights

4212. SHRI VARKEY GEORGE: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether recently any agreement was signed by India and Ethiopian Airlines for the operation of their scheduled flights; and

(b) if so, the broad outlines thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Inter-governmental consultations, in terms of the air services agreement of 3rd August 1967, were held in Addis Ababa from 24th to 27th October, 1972. The agreed arrangements provide that Ethiopian Airlines may operate air services to China *via* India with traffic rights at Bombay. Reciprocally, Air India is entitled to operate services through Addis Ababa to points in the African continent, points in the islands of the Indian Ocean and back to points to India. The services can be operated in a clock-wise or anti-clockwise direction.

Incidence of service margins of STC, MMTC and distributors on overall release prices of Imported Raw

4213. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state what is the incidence of service margins of Government canalising agencies, STC and MMTC and the distributors on the overall release prices of imported raw materials item-wise and distributors-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): The margin of profit of the STC and MMTC for distribution of various raw materials is determined by an Inter-Ministerial Price Review Committee. The margins generally are as follows:—

REP Release Order Holders—1 per cent. of cif. value.

AU(P) Release Order Holders—2 per cent. of cif. value.

A.U. Release Order Holders—5 per cent. of cif. value.

The STC distributes some of the imported chemicals through established distributors. The distributors charge a margin approved by the STC, so as to cover their actual expenses on interest on blocked capital, godown rent, insurance, overheads and remuneration.

Check on Private Organisations for Distribution on Imported Raw Materials

4214. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether Government canalising agencies have any effective check on the distribution of imported raw materials being done by private organisations to whom distributorship of canalised or non-canalised items has been given; and

(b) whether any irregularity was found in distribution since distributionship had been given to them?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir; imported raw materials are distributed through duly appointed distributors of STC as per the quantity and the selling prices specified in the Delivery Orders/Release Orders issued by the STC. Godowns, stock registers and books of account, etc., are always open to inspection for the STC and are subject both to surprise and periodical checks.

(b) No irregularities in distribution have come to notice.

Giving of Sole Distributorship of Imported Raw Materials to Private Organisations

4215. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether Government canalising agencies have given sole distributorship of imported raw materials to some private organisations; and

(b) if so, their names, formation and branch offices in India and abroad and the list of the items being handled by them?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) No, Sir.

(b) Does not arise.

Enquiry into Distribution of Cloves and Betel-Nuts Imported by S.T.C.

4216. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether on the basis of the malpractices adopted by private organisations in the distribution of cloves and betel-nuts imported by State Trading Corporation, any enquiry was conducted during the past five years; and

(b) if so, the result of enquiry and action taken against the firms responsible for distribution?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) No, Sir.

(b) Does not arise.

Issue of Orders by Bureau of Public Enterprises for Absorption of Deputationist in Public Sector Undertakings

4217. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of FINANCE be pleased to state:

(a) whether any orders containing broad terms and conditions for absorption of Central Government deputationists in the Public Sector Undertakings have been issued by the Bureau of Public Enterprises; if so, whether a copy thereof will be laid on the Table;

(b) whether these orders are also applicable to the State Government deputationists for their absorption in any Public Sector Undertakings;

(c) if not, what decisions have been taken by the Bureau in this connection; and

(d) if the matter is still under examination how much more time the Bureau will take in arriving at a decision?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Pursuant to Government's decision on the Administrative Reforms Commission's recommendation made in their Report on Public Sector Undertakings, orders have been issued requiring deputationists from Central Government services to Central Government enterprises either to be permanently absorbed in the enterprises where they are serving or to revert to their parent cadres within stipulated periods. In order to protect the interests of those Govt. servants, who decide to get absorbed in the enterprises, and to provide some incentives, Government have accorded to such persons certain terms and conditions concerning *pro-rata* pensions, gratuity, earned leave, transfer of provident fund, etc. as given in the statement laid on the Table of the House. [*Placed in Library. See* No. Lt-5485/73.]

(b) No, Sir. Employees of the State Governments will be governed by the State Government rules.

(c) The Government of India have communicated to the State Governments its policy decisions regarding deputationists from the Central Government services to Central Government enterprises suggesting that the State Governments may also consider taking similar action.

(d) Does not arise.

Proposed Strike by LIC Officers on Pay Issues

4218. SHRI ISHWAR CHAUDHRY: Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention had been drawn to the news-item in the "Times of India" New Delhi, dated the 30th July, 1973 under the Caption "LIC Officers may strike on pay issue"; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) The News-item relates to the demand for increases in the Adjustment Allowance of officers in November 1972 and February, 1973. According to the agreement between the LIC and the Federation of Class I Officers there is no automatic linking of D.A. to the cost of living index. However, if there is a rise or fall by 6 per cent in the D.A. rate applicable to Class III employees, the Corporation is to hold discussions with the Foderation for a review of the Adjustment Allowance. Government have recently agreed to increases in the Adjustment Allowance in respect of officers getting pay upto Rs. 800 p.m. The case of officers getting pay of more than Rs. 800 p.m. is still under consideration.

Objection raised by LIC Class I Officers' Association in regard to sale of Hughes Road Plot at Bombay

4219. SHRI ISHWAR CHAUDHRY: Will the Minister of FINANCE be pleased to state:

(a) whether the Federation of LIC Class I Officers' Associations has objected to the proposal of the LIC for the sale of the Hughes Road plot at Bombay; and

(b) if so, the reaction of LIC thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) The Federation had requested LIC to construct staff quarters on the plot in question. However, in view of the high price of this land, and since with the same investment it was possible to build a larger number of quarters on another less costly plot, the LIC decided to lease out the plot to the highest bidder on the best terms available.

Tourists Spots in Tamil Nadu selected for Development during Fifth Plan

4220. SHRI G. VISWANATHAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the names of the tourist spots in Tamil Nadu which have been selected for development during the Fifth Plan; and

(b) the broad outlines of the development programme in this regard?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The draft Fifth Plan on Tourism in the Central Sector gives priority to the construction and expansion of accommodation at Madras, Mahabalipuram and Madurai. In addition, Mahabalipuram has been selected for development under the cultural tourism programme. The finalisation of the nature and scope of the schemes to be taken up at Mahabalipuram awaits the report of the UNDP Beach Resort Survey team.

Proposal made by Federation of LIC Class I Officers' Association Re.: opening of More Offices in Northern Zone

4221. SHRI ISHWAR CHAUDHRY: Will the Minister of FINANCE be pleased to state:

(a) whether the Federation of LIC Class I Officers' Associations has sub-

mitted proposals for opening more Offices in the Northern Zone, particularly Divisional Offices at Jaipur, Rohtak and Amritsar; and

(b) what steps the LIC has taken to implement these suggestions?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) The Corporation has received several proposals (including the one from the Federation) for opening new Divisional and Branch Offices in the different zones and all these are under consideration.

पोलैंड को रेल बैगनों का निर्यात

4223. **डा० लक्ष्मी नारायण पांडेय :** क्या **वाणिज्य** मंत्री यह बताने की कृपा करेंगे कि

(क) क्या भारत सरकार के नियंत्रणाधीन एक फर्म जैसप एंड कंपनी (कलकत्ता) के माध्यम से पोलैंड को रेल वैगनों के निर्यात का एक सौदा किया गया है ;

(ख) क्या इस सौदे में लगभग दो करोड़ रुपये की हानि होने की सम्भावना है ; और

(ग) यदि हां, तो इस मामले में तथ्य क्या है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) परियोजना तथा उपस्कर निगम ने पोलैंड को निर्यात करने के लिए 500 वैगनों के निर्माण तथा सप्लाई हेतु जैसोप एंड कं० के साथ एक संविदा की है ।

(ख) इस समय हानि का अनुमान लगाना संभव नहीं है क्योंकि लेखाओं को अंतिम रूप संपूर्ण सुपुर्दगी होने के बाद दिया जाएगा ।

(ग) हानि होने की संभावना के मुख्य कारण है इस्पात तथा अन्य कच्चे माल की कीमतों में वृद्धि, श्रम लागत तथा भाड़ा ।

इन्दौर, उज्जैन और जावरा (जिला रतलाम के लोगों को स्टेट बैंक आफ इन्दौर और स्टेट बैंक आफ इंडिया द्वारा दिया गया ऋण

4223. **श्री लक्ष्मी नारायण पांडेय :** क्या **वित्त** मंत्री यह बताने की कृपा करेंगे कि :

(क) 1969–70 से 1971–72 की अवधि में स्टेट बैंक आफ इन्दौर, और स्टेट बैंक आफ इंडिया द्वारा इन्दौर, उज्जैन और जावरा में (जिला रतलाम) लोगों को ऐसे कितने ऋण दिये गये जिनके बारे में न्यायालयों में मुकदमे चल रहे हैं और उनमें कितनी राशि अन्तर्ग्रस्त है; और

(ख) सम्बन्धित फर्मों के नाम क्या है ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशीला रोहतगी): (क) और (ख) : यथा सम्भव सूचना एकत्रित की जा रही है और सभा पटल पर रख दी जायेगी ।

Applications for Compensation for Evacuee Properties left in Former East Pakistan

4224. SHRI SAMAR GUHA: Will the Minister of COMMERCE be pleased to state:

(a) whether, as the evacuees from West Pakistan and Sind after Partition have been given compensation for evacuee properties, the properties affected by the Enemy Properties Act of Pakistan, which was enforced after 1965 Indo-Pak War, affects mainly the evacuees from the former "East Pakistan";

(b) whether for effective dealings with applications for compensation, for the evacuee properties taken over by Government of former 'East Pakistan', the concerned offices for evacuees properties compensation relating to Pak Enemy Properties Act will be shifted to Calcutta and such Offices will be strengthened by including persons in them who are sufficiently acquainted with the problems of evacuees from former 'East Pakistan';

(c) if so, the steps taken or proposed to be taken in the matter; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (d). In order to give some interim relief, the Government have decided to give *ex-gratia* grant from the Consolidated Funds of India to Indian nationals and companies whose assets were seized during and after September 1965 Conflict. Claims are verified against document by the office of the Custodian of Enemy Property for India whose office has been strengthened to expedite verification of claims and payment of *ex-gratia* grant.

Steps to remove Shortcomings Hindering Development of Tourism in West Bengal

4225. SHRI SAMAR GUHA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether tourism, particularly for the international tourists, is not developing in West Bengal due to (i) continued restriction imposed on intending foreign visitors to Darjeeling and other Hilly Areas of Darjeeling District (ii) suspension of flights by international airlines at Dum Dum Airport (iii) lack of standard and more spacious hotel and rest house attached to Dum Dum Airport and in the city of Calcutta (iv) absence of transport and proper hotel facilities for visitors to Digha Sea-Beach (v) lack of publicity for the historic sites of Bankura, Malda and Murshidabad areas and (vi) lack of co-ordinated effort by the Central and State Tourist Departments; and

(b) if so, the steps taken or proposed to be taken by Government to remove such shortcomings hindering development of tourism in West Bengal?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) It is true that the flow of international tourists to West Bengal has not been increasing as rapidly as to some other parts of the country. Over the last five years (1967-72), the entry of foreign visitors through Calcutta airport has been growing at about 5 per cent a year, compared to 7.5 per cent for Madras, 16.5 per cent for Delhi and 18.5 per cent for Bombay. The growth of tourist traffic to West Bengal was affected by the deterioration in the state of law and order, which also led to several international airlines ceasing operations through Calcutta. The development of international tourism to the Eastern Region generally is somewhat inhibited by the need to maintain certain restrictions on the free entry of foreigners to many areas which are of considerable tourist interest. Lack of hotel rooms and road transport of the requisite standards is not considered to have been a major factor inhibiting foreign tourist traffic, though there is need to develop accommodation and transport facilities in the area more rapidly than in the past. So far as Digha is concerned, the beach resort developed there is for domestic rather than foreign tourists. It is also unlikely that foreign tourism can be developed to Bankura, Malda or Murshidabad in the near future, even if greater publicity is given to these areas.

(b) The development of tourism facilities in West Bengal is being undertaken by the State and Central

Governments in a coordinated manner. More investments will be made in the Fifth Plan period, subject to the availability of resources. The difficulties in the way of developing tourism in the Eastern Region were examined by the Tourism Convention jointly sponsored by the Central Government and the Government of West Bengal in March 1972 in Calcutta. Efforts are being made to persuade international airlines, which had withdrawn, to resume services to through Calcutta. A hotel is being constructed near Dum Dum airport by the ITDC. ITDC is examining certain projects for building motels in West Bengal. Support by way of institutional finance is available to private investors wanting to build hotels suitable for foreign tourists. Three such hotels have been constructed recently in Calcutta with loans from the Hotel Development Loan Fund, increasing the availability of approved hotel rooms by nearly 400. ITDC is operating a transport fleet for tourists in Calcutta. Finance is also readily available to tourist car operators from the nationalised banks to augment their fleets. Government is examining the possibility of making the access of foreign visitors to areas of tourist interest easier by relaxation of some of the restrictions in the Eastern Region, subject to the requirements of national security.

Efforts made to persuade International Airliners to include Dum Dum Airport in the chart of their International Flights

4226. SHRI SAMAR GUHA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether foreign airliners are still avoiding Dum Dum Airport;

(b) if so, the reasons therefor;

(c) whether special efforts have been made by Government to persuade international airliners to include Dum Dum Airport in the chart of their international flights; and

(d) if so, the outcome of such efforts?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). At present seven foreign airlines (i.e. Aeroflot, Bangladesh Biman, British Overseas Airways Corporation, Royal Nepal Airlines Corporation, Scandinavian Airlines System, Thai Airways and Burma Airways) operate 87 flights per week to/through Calcutta.

(c) and (d). The Government of India will welcome operation of scheduled air services by foreign carriers to/through Calcutta in accordance with their entitlements. However, it is for the airlines concerned to take initiative in this regard.

Findings of the Committee set up to find out the causes of losses incurred by various Government owned Hotels in the Country

4227. SHRI NAWAL KISHORE SHARMA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government owned hotels in the country like Akbar Hotel, Ranjit Hotel in Delhi, Ashoka Hotel in Bangalore and Aurangabad Hotel in Aurangabad etc. are running in heavy loss and putting a pressure on the Exchequer of India;

(b) if so, whether Government have set up a Committee to find out the causes of the losses; and

(c) if so, the findings of the Committee?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) Ashoka and Janpath Hotels in New Delhi have been making profits consistently for the last several years. Akbar Hotel in New Delhi and Hotel Ashoka in Bangalore which commenced operations

on 27th January, 1972 and 1st May, 1971 respectively are expected to make profits during 1972-73. Ranjit and Lodhi Hotels in New Delhi and Laxmi Vilas Palace Hotel in Udaipur have, however, been operating at a loss. The Aurangabad Hotel was taken over by the India Tourism Development Corporation on 1st October, 1972 from the Railways and is likely to suffer a marginal loss during 1972-73.

Subject to audit, hotels under the India Tourism Development Corporation are likely to make an overall profit of over Rs. 65.00 lakhs during 1972-73.

(b) No, Sir.

(c) Does not arise.

जयपुर जिले (यू० सी० बी०) के लीड बैंक का कार्य सम्पादन

4226. **श्री नवल किशोर वर्मा** : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या राष्ट्रीयकृत बैंकों की लीड बैंक योजना से अपने जिलों में 10 मील की परिधी में कार्य सम्पादन के सीमित क्षेत्र के कारण परिणाम नहीं निकले हैं ;

(ख) जयपुर जिले के लीड बैंक अर्थात युनाईटेड कमर्शियल बैंक को गत तीन वर्षों में कितनी शाखाएं खोली गई और क्या ये शाखा जयपुर जिले की आवश्यकताएं पूरी करने में पर्याप्त हैं ;

(ग) यदि नहीं, तो इस सम्बन्ध में सरकार क्या कार्यवाही कर रही है; और

(घ) इस बैंक ने किसानों , श्रमिको कारीगरों, कलाकारों, और छोटे दुकानदारों को कितना ऋण दिया है; और यदि नहीं, तो इस बारे में सरकार क्या कदम उठा रही है ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशीला रोहतगी) : (क) नेतत्व बैंक योजना के क्रियान्वयन का बैंक की किसी विशेष शाखा के कार्य क्षेत्र से कोई सीधा सम्बन्ध नहीं है । मंजूर किये गये ऋणों के अन्तिम रूप इस्तेमाल का प्रभावकारी ढंग से पर्यवेक्षण करने की संगठन सम्बन्धी क्षमता के बारे में प्रत्येक शाखा के कार्य का अधिक से अधिक कितना क्षेत्र हो इसका निर्धारण वह स्वयं करती है ।

(ख) और (ग) : जयपुर जिले में वाणिज्यिक बैंकों के कार्यालयों की संख्या राष्ट्रीयकरण की पूर्वसंख्या की संख्या 57 से बढ़कर जून, 1973 के अन्त में 90 हो गयी है। इन में से 12 कार्यालय युनाइटेड कमर्शियल बैंक के थे जिसकी जयपुर जिले के लिए नेतत्व की जिम्मेदारी है । जयपुर जिले में कार्यालय खोलने के लिए बैंकों को दिये गये 19 लाइसेंस/आवंटन अभी बकाया है । जयपुर जिले में प्रति बैंक कार्यालय जून 1973 के अन्त में 29000 थी जबकि सारे देश में प्रति बैंक कार्यालय जनसंख्या 36000 है । फिर भी, बैंक केन्द्रों की क्षमता का नियमित रूप से मूल्यांकन इस दृष्टि से करते रहते हैं ताकि नये बैंक कार्यालय खोलने के लिये उनकी उपयुक्तता का उन्हें पता चले और इसी आधार पर शाखाओं का विस्तार बराबर होता रहता हैं ।

(घ) युनाइटेड कमर्शियल बैंक द्वारा जयपुर जिले में किसानों, छोटे व्यवसायी

कारीगरों और दस्तकारों को दिये गये ऋणों का ब्यौरा इस प्रकार है :—

(हजार रुपयों में)

	31.12.71 को ऋणों की बकाया रकम	31.12.72	30.6.73
किसान	39	1599	1838
छोटा व्यवसायी	21	39	72
कारीगर और दस्तकार		16	19

Hampering of progress in Backward Areas of Rajasthan as a result of increase in Interest Rates of I.D.B.I.

4229. SHRI NAWAL KISHORE SHARMA: Will the Minister of FINANCE be pleased to state:

(a) whether the Industrial Development Bank of India has declared enhancement in the rate of interest;

(b) whether the Bank has also raised the rate of interest in the backward areas; and

(c) if so, the extent to which such an increase in the rate of interest will hamper the progress in the backward areas of Rajasthan and particularly Jaipur District?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) Yes, Sir. The Industrial Development Bank of India has raised its interest rates by 1/2 per cent to 1 per cent per annum effective June 16, 1973.

(b) Yes, Sir. The Development Bank raised both the direct and refinance rates applicable to eligible industrial concerns located in specified industrially less developed districts/areas by 1/2 per cent p.a., i.e. from 7 to 7-1/2 per cent p.a. in the case of direct assistance and from 3-1/2 per cent to 4 per cent in case of refinance assistance.

(c) Even though the rate of interest applicable for specified industrially less developed districts/areas has gone up by 1/2 per cent, the differential between the Development Bank's normal lending rate and the concessional rate has remained at 1-1/2 per cent. Hence the same differential incentive is available for projects located in such districts/areas. Viewed in the light of current market trends, the increase in rate of interest is not likely to hamper the progress either in the specified industrially less developed areas or other areas in the different States including the State of Rajasthan. It may also be mentioned that Jaipur district of Rajasthan is not a specified industrially less developed district.

Objections against Kathak and Classical Dance items presented by Government run Ashoka Hotel in the Capital

4230. SHRI P. G. MAVALANKAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Government-run Ashoka Hotel in the Capital has a Super Club at which Kathak and Classical dance items are presented as light entertainment;

(b) whether Government have received strong and persistent objections from several individuals and institutions against what they deem to be a perversion of the classical dance form and style; and

(c) if so, the reaction of Government thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) The Supper Club, one of the restaurants of the Ashoka Hotel in New Delhi occasionally presents popular Indian light classical and Kathak Court dances.

(b) Some objections have been received.

(c) Government feel that items of entertainment at restaurants in public sector hotels should not only be attractive and interesting, but also reflect Indian traditions. However, the whole policy is under careful review.

C.B.I. Enquiry against Income-tax Officers

4231. SHRI P. G. MAVALANKAR: Will the Minister of FINANCE be pleased to state:

(a) the number of Income-Tax Officers from various States of India against whom the C.B.I. enquiry is at present being conducted;

(b) whether the said Income-Tax Officers are denied the right to defend themselves through their Counsels, and if so, why;

(c) whether the findings of C.B.I. Enquiry are communicated to the officers concerned; and

(d) whether Income Tax Officers have to appear before the Central Vigilance Commission at the end of the C.B.I. Enquiry against them and if so, whether the Officers so charged are given an opportunity to represent their case through their defence counsels and if not, why not?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) 19 (nineteen).

(b) No, Sir. Whatever assistance they can have for their defence under the rules or the law can always be availed of by them.

(c) Though copy of the report of enquiry by Central Bureau of Investigation is not supplied to the officer concerned, being a confidential document, he is always given the statement of imputations against him, and copies of the oral and documentary evidence in support of the imputations is also made available to him in accordance with rules.

(d) Departmental enquiries against gazetted officers of Central Government departments are held by the Commissioners for Departmental Enquiries who act as Inquiry Officers. It is for the Disciplinary Authority to decide whether assistance of a legal practitioner during oral enquiry is to be allowed to the party charged.

Delayed Bombay-Delhi Flight No. 185 on 23rd July, 1973

4232. SHRI P. G. MAVALANKAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Flight No. 185 which should have left Bombay for Delhi on 23rd July, 1973 at 11.55 a.m. (the appointed time) was delayed by twenty minutes to enable the Congress President, Shri S. D. Sharma, to emplane the said aircraft;

(b) if so, whether other passengers were inconvenienced on this account and whether any complaint was lodged by one or more of them; and

(c) whether the Indian Airlines have made any regulations and reservations for "V.I.P." passengers and if so, a gist thereof including the definition of "V.I.P." categories?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The flight in question was delayed by 20 minutes as additional fuel had to be uplifted due to weather conditions.

The Congress President had checked in with other passengers prior to the announcement of the flight.

(c) Flights are not delayed for VIPs. Normal courtisies are, however, extended to them.

Sale of Imported Articles in a shop in Vasant Vihar, New Delhi

4233. SHRI CHANDRIKA PRASAD: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 9256 on the 4th May, 1973 and state:

(a) whether the imported goods are still being sold in Modern Bazar;

(b) if so, what further action Government propose to take in the matter; and

(c) what action has been taken by Government about the seizure of goods worth about Rs. 2400 under the Customs Act, 1962?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) and (b). There is at present no report that imported goods are being sold in 'Modern Bazar' in Vasant Vihar, New Delhi.

(c) The goods valued about Rs. 2,400 seized in April, 1973 have since been confiscated and a personal penalty of Rs. 400 imposed on the person concerned.

Proposal to establish more Sanctuaries for preservation of animals in Madhya Pradesh

4234. SHRI RANABAHADUR SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the number of National Parks and game Sanctuaries in the State of Madhya Pradesh where animals are being preserved on scientific basis;

(b) the amount of money annually spent by the State as well as by the Central Government for the preservation of the animals; and

(c) whether Government propose to establish some more Sanctuaries in Madhya Pradesh and if so, the broad outlines thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) to (c). There are three National Parks and nine Wild Life Sanctuaries in Madhya Pradesh. Forests being a State subject, setting up of sanctuaries is within the purview of the State Government and the State Wild Life Board has suggested the setting up of some more Sanctuaries including one each for the protection of the Wild Buffalow and the Great Indian Busatrd. Although the Department of Tourism ordinarily takes up only projects for the development of facilities for tourists within the Sanctuaries, an amount of Rs. 52,500 was placed at the disposal of the Government of Madhya Pradesh in 1969-70 for the Barasingha Breeding Project. Schemes to be taken up in the Fifth Five Year Plan for the development of wild life tourism are still to be finalised.

कोरी फिल्मों पर उत्पादन शुल्क तथा सीमा-शुल्क के कारण फिल्म उद्योग को क्षति

4235. **श्री रणबहादुर सिंह :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कोरी फिल्मों पर उत्पादन शुल्क तथा सीमा-शुल्क के कारण देश में फिल्म उद्योग को काफी धक्का लगा है और हिन्दी तथा अन्य क्षेत्रीय भाषाओं की प्रगति में बाधा आई है ;

(ख) यदि हां, तो क्या सरकार इस प्रकार के शुल्कों को कम करके देश में फिल्मों के उत्पादन को प्रोत्साहन देने के लिये कदम उठा रही है ;

(ग) क्या इस विषय में फिल्म उद्योग की ओर से भी सरकार को अभ्यावेदन प्राप्त हुए हैं ; और

(घ) यदि हां, तो उन पर सरकार की क्या प्रतिक्रिया है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) फिल्म-उद्योग ने ऐसी कोई निश्चित सूचना नहीं दी है कि कच्ची फिल्मों पर सीमाशुल्क में वृद्धि कर दिये जाने के कारण किसी फिल्म का उत्पादन स्थगित कर दिया गया है ;

(ख) से (घ). स्थिति के बारे में 27 जुलाई, 1973 को दिये गये अतारांकित प्रश्न सं० 877 के उत्तर में विस्तारपूर्वक बताया गया है ।

विदेशों में स्थित भारतीय लोगों से विदेशी मुद्रा की आय

4236. **श्री हुकम चन्द कछवाय** : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1972-73 में विदेशों में स्थित भारतीय उद्योगों से लाभांश तकनीकी जानकारी, शुल्क और प्रबन्ध शुल्क के रूप में कितनी विदेशी मुद्रा की आय हुई ; और

(ख) वर्ष 1973-74 में उक्त स्रोतों से अनुमानतः कितनी विदेशी मुद्रा अर्जित की जाने की संभावना है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) विदेशों में स्थित भारतीय उद्योगिक संयुक्त उद्यमों द्वारा 1972-73 के दौरान लाभांश, तकनीकी जानकारी, प्रबन्ध शुल्क आदि के रूप में अर्जित विदेशी मुद्रा की राशि 49.14 लाख रुपये थी ।

(ख) 1973-74 में उपरोक्त स्रोतों से कितनी विदेशी मुद्रा अर्जित होने की संभावना है इसका अनुमान लगाना अभी संभव नहीं है ।

India losing Irish Tea Market

4237. SHRI R. K. SINHA: Will the Minister of COMMERCE be pleased to state:

(a) whether the attention of Government has been invited to the news item appearing in the *'Economic Times'* dated the 14th July, 1973 under the heading "India losing Irish tea market"; and

(b) if so, the reaction of Government thereto and the steps taken to improve the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) There is no threat as made out in the report referred to in part (a).

Committee constituted to ensure prompt implementation of recommendations by courts and committees of Inquiry on Air Crashes

4238. SHRI R. K. SINHA:
SHRI MUHAMMED SHERIFF:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to refer to the reply given to Unstarred Question No. 2876 on the 10th August, 1973 regarding the ap-

pointment of Committee to ensure prompt implementation of the recommendations made by Courts and Committees of inquiry on air crashes and state how many meetings of the Committee have since been held and the particulars of decisions taken?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): Three meetings of the Group have been held. The recommendations made in the reports of the Courts of Inquiry in respect of the following air crashes were considered:

(i) Accident to Indian Airlines F-27 aircraft VT-DME near Delhi Airport on 11-8-1972;

(ii) Accident to Indian Airlines HS-748 aircraft VT-EAU at Secunderabad on 15-3-1973; and

(iii) Accident to Indian Airlines F-27 aircraft VT-DWT in Silchar on 28-8-1970.

Slow disbursement of I.F.C. Loans in U.P.

4239. SHRI R. K. SINHA: Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to the news item appearing in the *"Times of India"* dated the 29th July, 1973 under the heading "Slow disbursement of I.F.C. loans in Uttar Pradesh"; and

(b) if so, the reaction of Government thereto and the action taken to improve the situation?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). Yes, Sir. The Government has seen the news item referred to by the Hon'ble Member. Though the heading of the news item is "Slow disbursements of I.F.C. loans in U.P.", its subject matter actually refers to the working of the Uttar Pradesh Financial Corporation (not the U.P. Industrial Finance Corporation as mentioned in the body if the news item).

2. The net-sanctions and disbursements of the U.P. Financial Corporation and its profits (before taxation) during the last three years were as follows:

	1970-71	1971-72	1972-73
	(Rs. in lakhs)		
Net Sanctions	2200·06	3329·04	4399·05
Disbursements	1362·34	1856·97	2413·65
Profits (before taxation)	20·65	28·48 (Not in crores as mentioned in the press report).	42·25

3. The time-lag between the sanctions and disbursements of loans has been reported by the Corporation as due to:

(a) quick pace of sanctions;

(b) time required by the entrepreneurs to offer a clear and marketable title of the properties proposed to be mortgaged to the Corporation and complete legal and other formalities before disbursement can be made;

(c) difficulties on account of shortage of electric power as a result of which a number of new entrepreneurs have postponed the implementation of their projects;

(d) ban by the State Government for the time being, on the transfer of urban properties as a result of which a number of entrepreneurs who were proposing to put up their units in such areas, are not in a position to avail of the loans and

(e) difficulties in securing building material in time required for the projects.

4. The U.P. Financial Corporation is alive to the need to reduce the delay in utilisation of sanctioned loans and has already taken steps such as (i) strengthening technical cell and appointing suitable personnel like law officer and disbursement officer, (ii) standardisation of legal documents and procedures, (iii) acceptance of equitable mortgage, instead of legal mortgage, where possible (iv) scrutiny of legal documents simultaneously with the processing of applications for assistance and (v) decentralisation of documentation work at branches. The Corporation also keeps the matter under constant review to quicken the pace of utilisation.

Exchangeability of Mutilated Defective Notes

4240. SHRI PILOO MODY: Will the Minister of FINANCE be pleased to state what are the considerations for the exchangeability of mutilated/defective currency note?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): Currency notes which are disfigured by oil or other substances but which can be identified as genuine and notes with only slight mutilation which does not interfere with their identification or suggest fraud are exchangeable at Treasuries, sub-Treasuries and branches of the State Bank of India and its subsidiaries having currency chests in terms of paragraph 81(2) and Note 1 under Paragraph 83 of Part XIV (Executive Instructions) of the compilation of Central Government Treasury Rules, Volume 1. Railways and Posts & Telegraphs Department have also similar instructions to accept in payment of dues, such slightly mutilated or soiled notes which are otherwise clearly identifiable as genuine notes. Notes of Re. 1/- which are torn through the middle or the two half portions of which have fallen apart due to normal wear and tear may be paid by the agencies provided they are satisfied that the two halves have clearly fallen apart as a result of such normal wear and tear, that they form the portions of one and the same note and that the note is otherwise in order. Claims on all other mutilated/defective or damaged notes have to be submitted to the Reserve Bank's Issue Offices for examination and payment of value as a matter of grace subject to the limitations and conditions laid down in the Reserve Bank of India (Note Refund) Rules, 1935. If the notes are genuine and are identifiable the Bank's counter-clerk himself is in a position to entertain the claim and refund the exchange value straightaway. In case of doubts, the counter-clerk refers the claim-case to Assistant Currency

Officer who is a delegated officer to deal with claim cases. In case the Assistant Currency Officer has doubts, he informs the claimant then and there and advises him to submit proforma claim application to the Currency Officer for adjudication in accordance with the Reserve Bank of India (Note Refund) Rules, 1935.

Creation of Stabilisation Funds

4241. SHRI ANNASAHEB GOTKHINDE: Will the Minister of FINANCE be pleased to state:

(a) whether Government have received any proposal for creation of stabilisation fund with a view to assist long term lending institutions during scarcity period; and

(b) if so, the salient features of the proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Recently a Director of the Maharashtra State Co-operative Land Development Bank Ltd. made suggestion for the constitution and augmentation of a Stabilisation Fund in the long-term credit structure.

(b) The suggestion is that the interest margin available to the Government of India on the loans from International Development Association, an affiliate of the World Bank, be used by the Government of India to establish a Stabilisation Fund to be used for giving relief to the agriculturists in drought-affected areas by staggering the period of repayment by one or two years. The State Government and the Land Development Banks may also contribute, in a certain proportion, equally, towards this Fund. The suggestion is being examined in consultation with the Reserve Bank of India and the Ministry of Agriculture.

Task Force on Handicrafts to increase in Production and Export during the Fifth Plan

4242. SHRI DHARAMRAO AFZALPURKAR
SHRI M. S. PURTY:
Will the Minister of COMMERCE be pleased to state:

(a) whether the Task Force on handicrafts appointed by Government has recommended Rs. 40 crores for Central and State scheme during the Fifth Five Year Plan to increase production and exports; and

(b) if so, the detailed allocation of money between Centre and States and the steps Government have proposed to solve the problem of rise in the domestic sales and export of handicrafts, keeping in view the lack of wages and working conditions of the craftsmen?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) Detailed allocations have not yet been finalised. However, the Task Force has proposed an allocation of Rs. 17 crores for the Centre and Rs. 23 crores for the States.

Measures being evolved would aim at increased production and higher exports of handicrafts items, ensuring an increasingly remunerative return to the craftsmen.

Export of Refrigerators

4243. SHRI DHARAMRAO AFZALPURKAR: Will the Minister of COMMERCE be pleased to state:

(a) whether India is exporting Refrigerators to foreign countries; and

(b) if so, the names of the countries and the amount of foreign exchange earned during the last two years?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) Exports of refrigerators and

parts during the last two years have been as follows:

1971-72—Rs. 11.74 lakhs

1972-73—Rs. 27.41 lakhs (prov).

Following are the major countries importing Indian refrigerators:

Abu Dhabi

Dubai

Kuwait

Sudan

Zambia

Hongkong

A.R.E.

Poland

Srilanka

(Source: EEPC, Calcutta)

Development of Plantations in Katra Area of Jammu and Uttarkhand Region of Garhwal District, U.P.

4244. SHRI DHARAMRAO AFZALPURKAR: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have studied the feasibility of developing plantations in the Katra area of Jammu and the Uttarkhand region of Garhwal District in U.P., and

(b) if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). In 1966, an Expert Team of Tea Board visited some tea areas of Katra in Jammu to assess the potentialities of growing tea there. Soil samples from five different areas have been analysed. Further, the State Government has also undertaken some long term trials. The results obtained so far are under examination. At the request of the Government of U.P., a team was sent to Uttarkhand Region by the Tea Board in October, 1966 to study the possibilities of rehabilitating existing tea areas and to explore the prospects of extention and development of more areas under tea. Heavy pruning to rejuvenate the existing bushes has given good results and Darjeeling variety of seeds has done extremely well. It is understood that the State Government is formulating schemes for Development of tea areas in this region.

Occupancy of Government run hotels by foreign tourists during the last two years

4245. PROF. MADHU DANDAVATE: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state what are the figures of tourists coming to India from foreign countries and staying in the tourist hotels run by Government during the last two years?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): The number of foreign tourists staying in six major hotels run by India Tourism Development Corporation during the last two years was as under:—

	1971-72	1972-73
Ashoka Hotel	35,920	37,400
Janpath Hotel	10,106	10,866
Ranjit Hotel	6,719	6,055
Lodhi Hotel	6,802	5,709
Hotel Ashoka, Bangalore (Commissioned on 1-5 1971)	2,906	3,554
Akbar Hotel (Commissioned on 27-1-1972)	1,484	16,119
Total	63,937	79,703

Priorities accorded for Utilisation of Funds during Fifth Plan by Indian Airlines

4246. PROF. MADHU DANDAVATE: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Rs. 110-crores are likely to be provided for the Indian Airlines during the Fifth Plan; and

(b) if so, what will be the priorities accorded in utilising this amount?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The Fifth Five-Year Plan of Indian Airlines is still under the consideration of the Planning Commission.

Recovery of Rs. 60 lakhs in the State Bank case involving late Nagarwala

4247. SHRI MADHU LIMAYE: Will the Minister of FINANCE be pleased to state:

(a) whether the entire amount of Rs. 60 lakhs was recovered from the late Nagarwala in the State Bank case;

(b) whether the entire amount was produced before the Court as the subject matter of the offence alleged to have been committed by the said Nagarwala;

(c) what was the order of disposal in respect of this amount under Section 517 of Cr. & PC or any other Provision thereof; and

(d) in whose possession is it now?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (d). The Delhi Police had recovered a sum of Rs. 59,94,300 from (the late) Shri Nagarwala on 24th May, 1971. Subsequently, another sum of Rs. 2,600 was also recovered on 25th May, 1971. The Court, on production of these amounts before it, passed orders entrusting the amounts to the State Bank of India under 'Superdari" bonds. On the death of Shri R. S. Nagarwala, the Additional Chief Judicial Magistrate, Delhi, ordered that the cash amounting to Rs. 59,94,300 and Rs. 2,600, entrusted to the State Bank of India, be released in favour of the State Bank of India. According to the State Bank of India, the above amount was utilised for the bank's normal business.

Repatriation of funds by foreign companies exporting goods from India

4248. SHRI MADHU LIMAYE:
SHRI JYOTIRMOY BOSU:

Will the Minister of FINANCE be pleased to state:

(a) whether foreign companies which are exporting goods from India are given permission to repatriate funds in the form of profits, expenses under various heads, value of goods imported, etc. upto a maximum of 80 per cent of FOB value of exports;

(b) if so, the names of companies who have taken advantage of this special privilege in the last three years;

(c) the export figures in quantity and value and repatriation of foreign exchange under various heads for each of those companies during the years 1970—73; and

(d) whether Government have considered that these exports in terms of physical resources plus the funds repatriated to the tune of 80 per cent do not constitute a drain on the country?.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). In the case of foreign companies who are exporting goods from India, repatriation of profits, expenses, imports etc. is not normally linked to the FOB value of exports. However, with a view to limit the repatriation of profits etc., in the case of Coca-Cola, remittances on all counts (Profits, expenses, imports) have been limited to 80 per cent of the export

earnings during January 1969—March 1972. From April 1972 onwards, such remittances are further limited to export earnings from the Corporation's own items of production.

(c) A statement showing the exports effected (in quantity and value) by the Indian oranch of Coca Cola Export Corporation during 1970—72 is laid on the Table of the Lok Sabha. During the same years, the remittances made by it under various heads were as under:—

	Amounts remitted during 1970-72 (Rs. lakhs)
(i) Import of raw materials and ingredients	46·0
(ii) Profits	104·6
(iii) Head Office expenses	43·2
(iv) Service Charges	2·6
	196·04

(d) The question of drain of foreign exchange does not arise as this would result in a net foreign exchange income of 20 per cent of export earnings after remittances on all counts (imports, profits, expenses).

STATEMENT

Exports effected by the Indian branch of Coca Cola Export Corporation, U.S.A. during 1970-1972.

	Quantity (Kgs.)	Amount (Rs.lakhs)
1	2	3
1. Non-Alcholic Beverage Bases (Coca-Cola concentrate and citrus and fruit beverage bases)	10,28,422	384·84
2. Edible vegetable gum	39,30,725	103·06
3. Mango Pulp	73,974	4·34
4. Cashewnct	92,988	11·07
5. Tea	97,660	6·71
6. Coffee	153,120	11·48
7. Chidwa	3,0424	0·27
Total	53,79,913	521·77

Remittances by foreign firms

4249. SHRI MADHU LIMAYE:
SHRI JYOTIRMOY BOSU:

Will the Minister of FINANCE be pleased to state:

(a) whether Government have issued necessary instructions to the Reserve Bank for maintaining company-wise figures of remittances by foreign companies or their offices under the following heads:

Profits, Head Office Expenses, Area or Regional Office Expenses, Administrative Office Expenses, Royalties, Technical facilities, Advertising and P.R. Expenses, Payment against imports of raw materials, capital goods, spares etc.

(b) the actual repatriation under the above heads during the last three years; and

(c) the manner in which these figures are at present scrutinised and will be scrutinised in future?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b) In terms of the instructions issued by the Government in 1970 the Reserve Bank of India are maintaining company-wise figures of remittances made by Indian branches of foreign incorporated companies and Indian subsidiaries of foreign companies under the important heads *viz.*

profits, dividends, technical know-how fees, royalties and head office expenses. Two statements showing the remittances under the above heads made by (i) Indian branches of foreign companies and (ii) Indian subsidiaries of foreign companies, during 1969-70 to 1971-72, are laid on the Table of the Lok Sabha. [*Placed in Library. See* No. LT-5486/73.] Information regarding remittances made abroad under other heads is not readily available.

(c) All remittances by branches and subsidiaries of foreign firms are subject to the prior approval of the Reserve Bank of India and are examined in the following manner:—

(1) All applications for remittances of profits should be made to the Reserve Bank of India through the applicant's bank along with the following documents:

(a) Audited balance sheet and profit and loss account statement for the year to which the profits relate;

(b) An auditor's certificate showing how the remittable amount is arrived at, certifying that the entire income of the company/firm included in the account for the year had accrued in India;

(c) An auditor's certificate recording compliance with the provisions of Section 18A of the Foreign Exchange Regulation Act, 1947; and

(d) Income tax assessment order and documentary evidence showing payment of income and other taxes for the year for which profits are to be remitted.

OR

A certificate from the auditor of the applicant company that sufficient funds have been set aside to meet all Indian liabilities.

(2) Applications for remittance of profits by branches of foreign firms and companies, established in India after 1st March, 1969 with out the prior approval of the Reserve Bank are liable to be rejected.

(3) Remittance facilities in respect of dividends declared by 100 per cent foreign owned companies, wholly or in part out of past accumulated profits, are subject to the following conditions being satisfied by Reserve Bank of India:

(a) That the reserves have been drawn upon only for maintaining the dividend quantum at the average of the previous 5 years or at 10 per cent of the paid up capital, whichever is more.

(b) That the drawal on reserves does not exceed 10 per cent of the total of the paid up capital and free reserves of the company at the commencement of the year; and

(c) That the balance of free reserves left after the drawal does not fall below 15 per cent of the total of the paid up capital and reserves as in (b) above.

(4) The Reserve Bank of India allows remittances on account of royalties and technical know-how fees, where such remittances arise on account of the payments to be made by Indian parties to the foreign collaborators in terms of the agreement specifically approved by Government. Before allowing the payments the Bank ensure that the payments are in accordance with the terms approved by Government.

(5) Under the existing regulations, remittances towards head office expenses are allowed by the Reserve Bank of India on production of documentary evidence to show that the amounts proposed to be remitted have been or will be admitted by the Income Tax authorities as expenses legitimately deductible from the profits of the Indian branch for the purpose of assessment of tax. From 1973 on-

wards the Bank proposes to allow this expenditure on the production of the original assessment order from the Income Tax officer.

Character of Demands received by L.I.C. from All India Life Insurance Employees' Association and A.I.I.A.

4250. SHRI MADHU LIMAYE: Will the Minister of FINANCE be pleased to state:

(a) whether Life Insurance Corporation has received a charter of demands from the All India Life Insurance Employees' Association and A.I.I.A. on which the Life Insurance Corporation Chairman had agreed to hold negotiations;

(b) whether the Finance Ministry sent written or oral instructions to this "autonomous body" to the effect that no negotiation involving new financial commitments/liability be held without the prior consent of the Ministry;

(c) if so, whether this consent has now been given; and

(d) if not, whether it is new policy of Government to discourage negotiations and collective bargaining between public sector employers and employees?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) Yes, Sir.

(c) The Chairman, L.I.C. who had informal discussions with the Government was advised to hold negotiations with the Association.

(d) Does not arise.

Curbs on bank borrowings by Reserve Bank of India

4252. SHRI YAMUNA PRASAD MANDAL:
SHRI PRABODH CHANDRA:

Will the Minister of FINANCE be pleased to state:

(a) whether the Reserve Bank of India has put curbs on bank borrowings; and

(b) if so, the nature of the curbs and the reasons therefor?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b) Taking into account the rapid increase in the liquidity of banks and the tendency to relax the terms of lending, in recent months the Reserve Bank has taken a number of measures with a view to curbing excessive expansion of bank credit, the important ones being as follows:

(i) The Reserve Bank has raised the ratio of minimum assets that constitute scheduled commercial banks' liquidity requirements under Section 24 of the Banking Regulation Act, 1949 from 29 per cent to 30 per cent of aggregate liabilities, effective November 17, 1972.

(ii) The ratio for the cash reserves to be maintained by every scheduled commercial bank under Section 42(1) of the Reserve Bank of India Act was raised from 3 per cent to 5 per cent beginning from June 20, 1973 and again from 5 per cent to 7 per cent. The latter increase is to be achieved in two stages, i.e. by an increase of one percentage point with effect from September 8, 1973, and by another percentage point from September 22, 1973.

(iii) To restrain bank from seeking refinance from it, the Reserve Bank of India has since October 1972 raised the net liquidity ratio on four occasions. Currrently the net liquidity ratio is 39. With effect from September 8, 1973, it will be raised to 40. The raising of the net liquidity ratio has the effect of making borrowing from Reserve Bank of India costlier. For

every fall of one percentage point in the net liquidity ratio, the rate of interest on borrowings from Reserve Bank of India would go up by one per cent, the maximum rate of interest on borrowing from Reserve Bank of India being 12 per cent. Further the refinance entitlements at Bank Rate or below have been withdrawn except in the case of ten per cent of average annual export credit , refinancing of amount lent by banks to primary credit societies and farmers' service societies. Rediscounting of bills under the new bill market scheme will continue to be at the bank rate.

(iv) To reflect the higher cost of credit and in keeping with the raising of bank rate from 6 per cent to 7 per cent, with effect from May 31, 1973 banks have been advised that except in the case of a few exempted categories of borrowers in the priority sectors, the rate of interest to be charged on loans and advances should not be less than 10 per cent per annum.

(v) The selective credit control measures of the Reserve Bank of India have been tightened in regard to rate of interest, margin and ceiling restrictions. The minimum rate of lending in respect of credit against sensitive commodities is prescribed at twelve per cent per annum.

Trade Agreement between India and Japan

4253. SHRI C. K. JAFFER SHARIEF: Will the Minister of COMMERCE be pleased to state:

(a) whether there has been any trade agreement between India and Japan, recently; and

(b) if so, the broad outlines regarding the financial and technical assistance sought by India in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) No Sir. A Trade Agreement between India and Japan was signed in 1958.

(b) The Agreement is of general nature and does not provide for any financial or technical assistance. It does, however, provide for cooperation to further the inter-change and use of scientific and technical knowledge.

Suggestion to J.C.I. to increase the Support Price of Assam Bottom variety of Jute in Calcutta

4254. SHRI H. N. MUKERJEE: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have suggested to the Jute Corporation of India for increasing the support price of the Assam bottom variety of jute in Calcutta from Rs. 115 to Rs. 157.68 per quintal; and

(b) if so, whether the Corporation has accepted the suggestion?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) The Jute Corporation of India have been instructed to conduct its purchase operations as far as possible with a view to achieve on the average the price of Rs. 157.68 per quintal for Assam bottom variety of raw jute during the year.

(b) Yes, Sir.

Opening of Branches of Banks in Eastern Regions

4255. SHRI H. N. MUKHERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether the Eastern States of Orissa, West Bengal and Bihar have urged the Centre to open more bank branches in the eastern region; and

(b) if so, what steps are being taken in this direction?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) Yes, Sir.

(b) In the post-nationalisation period, the banks have been devoting greater attention to all under-banked regions including the States of Orissa, West Bengal and Bihar and the Union Territory of Andaman and Nicobar Islands, all situated in the eastern region. As will be seen from the statement which in laid on the Table of the House. [*Placed in Library. See* No. LT-5487/73], the rate of increase in the number of bank offices opened in the post-nationalisation period in these States and the Union Territory was higher than that for the country as a whole. All commercial banks have been asked to draw up three-year branch expansion plans covering the period 1973—75. In formulating these plans, the banks have been advised to keep in view their lead responsibility and the need for giving priority to the relatively under-develop/underbanked States in matters of branch expansion. The lead banks have been specifically asked to devote greater attention to the need for branch expansion in such of their Lead Districts as had, at the end of June 1972, per bank office population exceeding 1,00.000.

Development of Gokarna as a Tourist Centre in Mysore State

4256. SHRI B. V. NAIK: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Gokarna also known as Dakshina Kashi is proposed to be developed as a Tourist Centre in Mysore State; and

(b) if so, the broad outlines of the proposal?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) There is no proposal for such development in the Central Sector.

(b) Does not arise.

Report of Raj Committee on Taxation of Agricultural Income

4257. SHRI B. V. NAIK:
SHRI S. A. MURUGANANTHAM:

Will the Minister of FINANCE be pleased to state:

(a) whether the findings of the Raj Committee on agricultural income tax have been processed; and

(b) if so, what are the decisions arrived at?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) and (b). The Raj Committee's recommendation regarding partial integration of agricultural income with non-agricultural income for determination of the rate of tax applicable to non-agricultural income has already been accepted by the Government and implemented through the Finance Act 1973. The decision in regard to the recommendation of the Committee relating to the imposition of Agricultural Holdings Tax, rests with the State Governments, who have been requested to take necessary action.

Growth rate of Nationalised and Non-Nationalised Banks

4258. SHRI B. V. NAIK: Will the Minister of FINANCE be pleased to state:

(a) whether the growth rate of non-nationalised banks in this country has been compared with that of the nationalised banks; and

(b) if so, what are the findings?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). A statement showing the growth rates of public sector banks and privatee sector scheduled commercial banks in regard to branch expansion, deposits and advances, is laid on the Table of the House. [*Placed in Library. See* No. LT-5488/73.]

Proposal to carry Indian Export Goods only in Indian Ships

4259. SHRI B. V. NAIK: Will the Minister of COMMERCE be pleased to state:

(a) whether there is any proposal to carry Indian export goods only in the Indian ships;

(b) if so, the broad outlines of the proposal; and

(c) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (c). There is no proposal to carry Indian export goods only in Indian ships. The aim is to carry 50 per cent of our foreign trade in Indian ships.

Investment made by I.D.B.I., I.C.I.C.I., I.F.C.I. in different Regions of the Country

4260. SHRI B. K. DASCHOWDHURY: Will the Minister of FINANCE be pleased to state the investment so far made in different regions in the country by the I.D.B.I., I.C.I.C.I., I.F.C.I. and programme and projects of these Organisations in different regions of the country?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): State/Territory-wise distribution of financial assistance sanctioned and disbursed to the industrial concerns by the Industrial Development Bank of India, the Industrial Finance Corporation of India and the Industrial Credit and Investment Corporation of India Limited, is given in the Statement laid on the Table of the House. [*Placed in Library. See* No. LT-5489/73).

The three all-India term financial institutions endeavour to ensure that no worthwhile project suffers because of lack of institutional finance. Within this general objective they take particular care to be of assisance to projects being sponsored in backward regions. In fact all of them have devised schemes of concessional assistance for development of industries in industrially backward districts specified by Government. The distribution of assistance, however, depends on the location of industrial concerns assisted by it, such location is indicated in the industrial licence where required, while in other cases it is decided by the entrepreneurs. Though the institutions examine the suitability of location in all cases and sanction ssistance on being satisfied with the techno-economic viability of the project the institutions ab-initio have no control over the State-wise distribution of their assistance. The institutions whose main aim is to acceleate industrial development of the country cannot obviously fix quotas or shares of assistance for each State, as any step, in this direction, will only lead to immolulisation of Institutional funds in some States where the entrepreneurs are not in a position to sponsor sufficient viable projects. The institutions, however, have conducted industrially potential surveys practically in all the industrially backward States of the country.

Credit Control Policy Regulated by Reserve Bank of India

4261. SHRI B. K. DASCHOWDHURY: Will the Minister of FINANCE be pleased to state:

(a) in view of the continuing imbalance in the economy between Credit Supply and Credit Demand and the abnormal expansion in Commercial Banks Credit in Forward Trading, hoarding and stock piling of raw materials for various industies, what is the specific Credit Control Policy of Government as regulated by the Reserve Bank of India; and

(b) the result obtained by pursuing the policy?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) In view of the continuing imbalance between aggregate demand and aggregate supply in the economy, the monetary and credit policy followed by the Reserve Bank of India aims at reducing pressure of excess demand in the economy by restricting the expansion of credit by (i) raising the cost of bank credit and (ii) reducing the availability of resources with commercial banks for the expansion of credit; and (iii) restricting through selective credit controls lending against certain sensitive commodities with a view to prevent the use of bank funds for speculative purposes.

In pursuance of this Policy the Reserve Bank raised the bank rate from 6 to 7 per cent on May 30, 1973 It also stipulated minimum lending rates of not less than 10 per cent except in respect of lendings to certain specified sectors. The cost of commercial banks' borrowing from Reserve Bank has also been raised through increase in the minimum net liquidity ratio, which determines the rate at which individual banks may borrow from the Reserve Bank. The NLR was raised by 2 percentage points to 39 per cent effective from June 29, 1973 and is proposed to be further raised to 40 per cent as from September 8, 1973. The other measures taken by the Reserve Bank include withdrawal of various concessionary refinance entitlements available to banks at the Bank Rate or below except in respect of a limited amount of export credit and lendings to primary credit cooperative societies and farmers' service societies. The Reserve Bank of India had increasad the statutory reserve requirements from 3 to 5 per cent from June 29, 1973. It has now announced its decision to increase the statutory reserve requirements to 6 per cent as from September 8 and further to 7 per cent as from September 22, 1973. The Reserve Bank's Selective Credit Control Policy aims at restricting the expansion of bank credit in order to prevent a speculative build-up of inventories of certain essential commodities.

(b) Since the recent decision of the Reserve Bank to raise the statutory reserve requirements from 5 per cnt to 7 per cent will become fully effective only on 27th September, 1973, the full impact of various credit policy measures adopted in recent months cannot be assessed at this stage. However, as a result of various restrictive measures adopted since 30th May. 1973, the growth of bank credit has considerably slowed down. Between May 25, 1973 (i.e. prior to increase in Bank Rate) to August 3, 1973, whereas aggregate bank deposits increased by Rs. 475 crores, bank credit expanded only by Rs. 16 crores. As a result, the credit-deposit ratio on August 3, 1973 fell to 67.4 per cent as against 70.9 pe cent on May 25, 1973. However, the rise in prices is basically a result of shortfalls in the production of certain essential commodities such as foodgrains and vegetable oils. As such, credit policy measures can play only a supporting role in curbing the price rise.

Rate of deposit expansion and credit deposit rate of Central Bank of India, Punjab National Bank and Bank of India

4262. SHRI D. D. DESAI: Will the Minister of FINANCE be pleased to state:

(a) whether the rate of deposit expansion of the Central Bank of India, the Punjab National Bank and the Bank of India has slowed down considerably in the year 1972; and

(b) what has been the ratio of deposit expansion and credit-deposit ratio of these three banks during the year 1970, 1971 and 1972?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). The rates of growth of deposits and credit depost ratios for the Central Bank of India, Bank of India and the Punjab National Bank

for the years 1970, 1971 and 1972 are set out below:

	% Rate of Growth of Deposits			Credit-Deposit Ratios*		
	1970	1971	1972**	1970	1971	1972**
Central Bank of India	11·5	23·3	16·6	76·5	75·5	63·8
Bank of India	16·0	14·8	16·9	73·8	75·9	67·4
Punjab National Bank	16·9	20·3	16·1	68·7	67·1	54·9

Rules governing the bringing of Foreign Currencies into India by Foreign Missions, etc.

4263. SHRI B. K. DASCHOWDHURY: Will the Minister of FINANCE be pleased to state:

(a) whether all foreign Missions, organisations, relief associations etc working in the country are allowed to bring foreign currencies or import foreign currencies of any amount without permission of Government or without any restrictions what so ever;

(b) if not, on what basis organisations run by the foreign nationals are allowed to bring foreign exchange in the country and what are the rules and regulations laid down in this regard; and

(c) whether Government keep a watch on such foreign organisations as to how such organisations spend money in the country and whether such organisations are liable to render accounts to Government and if not, the reasons therefor?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (c). Under foreign exchange regulations there are no restrictions on inward remittances as long as foreign exchange is received through normal banking channels. The banks will credit rupee proceeds to the account of the recepients. At present there is no law or machinery to check the inflow of foreign money in India. Legislative proposals are being finalised for the purpose of imposing suitable restrictions on the receipt of foreign funds from foreign associations, agencies or individuals otherwise than in the course of ordinary and bona fide transactions.

Proposal to Start Direct Flight from Kanpur to Bombay and Calcutta

4264. SHRI S. M. BANERJEE: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there is any proposal to start direct flight from Kanpur to Bombay and Calcutta; and

(b) whether any request has also been received in this regard and if so, the reaction of Government thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) No, Sir.

(b) Indian Airlines have received occasional requests for such direct flights from Kanpur to Bombay and Calcutta but the volume of traffic expected does not justify the introduction of such services.

*As on the last Friday of the year.

**Data is provisional.

Items to be canalised through STTC in 1973

4265. SHRI S. M. BANERJEE: Will the Minister of COMMERCE be pleased to state:

(a) whether more items are likely to be canalised through STC in 1973;

(b) if so, what are those items; and

(c) when a final decision is likely to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) At present there is no such proposal under consideration, for 1973.

(b) and (c). Do not arise.

Inclusion of Employee's Representative in Various Committees Appointed to go into the Working of Indian Airlines

4266. SHRI S. M. BANERJEE: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether no employee's representative has been included in the various Committees appointed to go into the working of the Indian Airlines;

(b) if so, the reasons therefor; and

(c) whether a decision is likely to be taken in this regard, and if so, when?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) to (c). During the last two years no committee has been appointed to go into the working of Indian Airlines.

Representation from Employees of Tourism Department rearding Irregularities in the Maintenance of 40-Point Communal Roster in Respect of Upper Division Clerks

4267. SHRI S. M. BANERJEE: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the employees of the Department of Tourism have made a number of representations to the authorities rearding the irregularities committed in the maintenance of 40-Point Communal Roster in respect of Upper Division Clerks as prescribed in the Rules;

(b) whether certain vacancies in the grade of U.D.C. in the Department of Tourism which according to Roster should have gone to Scheduled Castes/Scheduled Tribe have been given to non-Scheduled Caste/Scheduled Tribe persons and vacancies that ought to hav been given to Scheduled Caste/Scheduled Tribe persons have been given to Scheduled Caste and Scheduled Tribe persons; and

(c) if so, the reasons for the violation of the instructions of Government in this behalf?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) Representations in this matter were received from one of the employees and from the Central Government Clerks' Union. The representations were carefully considered in consultation with the Department of Personnel, who confirmed that the action taken by the Department of Tourism was in order.

(b) and (c). There was one vacancy in the grade of Upper Division Clerk which was reserved for Scheduled Tribes in accordance with the 40-Point Communal Roster but which was filled up by the appointment of non-scheduled tribe candidate. This had to be done because no candidate belonging to a Scheduled Tribe was available in the list of successful candidates drawn up on the results of the departmental competitive examination. The case for

dereservation of the vacancy has been referred to the Department of Personnel under intimation to the Commissioner for Scheduled Castes and Scheduled Tribes.

Subsidising of Consumer Articles to Reduce Hardships of Class III and IV Employees

4268. PROF. NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state:

(a) whether Government has made any study of the effect of price rise on the monthly budget of a Class IV employee having a 5-member family, drawing a salary of Rs. 200 per mensem and a Class III employee having a salary of Rs. 400 per mensem;

(b) if not, whether such a study is proposed to be made at an early date; and

(c) whether steps are proposed to be taken to reduce the hardships by taking necessary steps in the form of subsidising the consumer articles?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) No, Sir.

(b) and (c). Various high powered independent Bodies have from time to time gone into the question of affording relief to Central Government employees at different salary levels consequent on price increases and made recommendations for the grant of dearness allowance. Recently the Third Pay Commission have made certain recommendations in this matter and these are under the consideration of Government.

Average Area Served per Bank Office and Opening of New Branches in Hilly and Backward Regions of the Country

4269. PROF. NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state:

(a) the average area served per Bank Office in the country as on 19th July, 1973;

(b) the average area served per bank, State-wise; and

(c) whether area-*cum*-population served per bank criterion would be preferred to the population served per bank in opening New Branches in the Hilly and Backward regions of the country?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) The average area served per bank office as on 30th June, 1973 was about 214 square kilometres.

(b) The requisite information is set out in the statement enclosed.

(c) Population is one of the several, though important, criteria adopted by the banks and the Reserve Bank of India in determining the scope for opening new bank offices at a specified place. Besides population, other factors such as the existing banking facilities in the area, area of operation of the proposed office, the infrastructure facilities available, special development schemes being implemented in the area and its future potential, are also given due weight by the commercial banks and the Reserve Bank of India while considering opening of new bank offices.

Statement

The Average Area served per Commercial Bank Office State-wise.

State	Area (Sq. Km.)
1	2
Andhra Pradesh	251
Assam	593
Bihar	293
Gujarat	149
Haryana	131
Himachal Pradesh	409
Jammu & Kashmir	1599
Kerala	36
Madhya Pradesh	592
Maharashtra	165

1	2
Manipur	2484
Meghalaya	1323
Mysore	130
Nagaland	2755
Orissa	692
Punjab	65
Rajasthan	515
Tamil Nadu	79
Tripura	748
Uttar Pradesh	197
West Bengal	100
Union Territories	148
All-India	214

Bank Offices in the Districts of Mimachal Pradesh

4270. PROF. NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state:

(a) the District-wise break-up of the Bank Offices for all the 12 districts of Himachal Pradesh as on 19th July, 1973;

(b) whether any licences are pending for allotment on the said date and if so, the names of the places with Districts for which the licences are pending; and

(c) the likely dates by which these branches would be opened?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The available information is set out in the statement enclosed.

(c) The validity of the licences issued by the Reserve Bank of India to the commercial banks for opening bank offices is normally for a period of six months. However, where the banks experience difficulties in opening such offices within the time prescribed because of constraints of man power resources, lack of suitable premises etc. suitable extensions are allowed. The validity ing with the banks for opening offices period of the licences currently pendin Himachal Pradesh extends to various dates upto end-February, 1974.

STATEMENT

District-wise distribution of bank offices in Himachal Prdesh as on June 30, 1973 and centres in respect of which licenses/allotments for opening bank offices are pending

Name of District	No. of offices	Centres for which licences/allotments are pending
Bilaspur	6	Jhukhla
Chamba	10	Udepur, Pangi
Hamirpur	4	..
*Kangra	15	Barsar, Ranital, Rankhandi, Ghar Jarot, Una, Gajjal, Kulu, Manali.
Kinnaur	..	Kalpa, Pooh.
Lahul and Spiti	..	Kesa, Keylong.
Mandi	12	Vaggi, Rawalsar, Chanutra, Pahari, Ner-chowk, Mandi.
Simla	23	Shogi, Simla, Sanjoli, Saproon
Sirmur	10	Poanta-Saheb,
Solan	15	Solan, Baroti-Wala, Garhkhal, Oachgarh, Syri.
UNO	6	Garget.
	136	

*Includes bank offices in Kulu district.

Alleged Victimisation of Third and Fourth Grade Employees in the Office of Controller of Defence Accounts, Patna

4271. SHRI RAMAVATAR SHASTRI:
SHRI K. M. MADHUKAR:

Will the Minister of FINANCE be pleased to state:

(a) whether complaints about large scale victimisation of third and fourth grade employees in the form of transfers, initiation of disciplinary proceedings etc. being resorted to in the office of C.D.A., Patna have been received; and

(b) if so, what action Government propose to take in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The information is being collected and will be laid on the Table of the House as early as possible.

Recruitments made in the Office of C.D.A., Patna

4272. SHRI RAMAVATAR SHASTRI: Will the Minister of FINANCE be pleased to state:

(a) whether recently recruitments were made in the office of the Controller of Defence Accounts, Patna;

(b) if so, the numbers of Upper and Lower Division Clerks recruited, separately and their numbers, State-wise;

(c) what were the methods of recruitment;

(d) whether some unemployed wards and relatives of the staff working in the office of Patna C.D.A. had also applied; and

(e) if so, how many of them have been recruited?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) to (e). The information is being collected and will be laid on the Table of the House as early as possible.

Trip Around the World by Chief Engineer of India Tourism Development Corporation

4273. SHRI RAMAVATAR SHASTRI:
SHRI K. M. MADHUKAR:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Chief Engineer of the India Tourism Development Corporation went on an official tour along with his family round the world;

(b) if so, who were the members of his family; and

(c) how did the Engineer get foreign exchange for all of his family members and what is the criterion laid by the Government in this regard?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The Chief Engineer of the India Tourism Development Corporation visited Germany, Switzerland, the United Kingdom, Holland and Austria on the Corporation's work. His wife accompanied him and spent a few days with her daughter and son-law in Germany.

(c) Foreign exchange for the travel of the Chief Engineer was released by Government on the recommendation of the India Tourism Development Corporation. The Chief Engineer's wife travelled after complying with the normal rules and regulations and obtained a release of $100 from the Reserve Bank under the rules. The expenditure on her air ticket was met by the Chief Engineer in rupees while her other expenses were met by her daughter and son-in-law.

Incidence of Central Excise Duty and Sales Tax

4274. SHRI RAMAVATAR SHASTRI:
SHRI K. M. MADHUKAR:

Will the Minister of FINANCE be pleased to state what is the incidence of Central excise duty and sales tax, separately on one kilo of sugar, one kilo of rice, one kilo of wheat, one kilo of Dal, one metre of cloth (standard), one match box, one litre of Kerosene oil, and one litre of petrol?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): A statement showing the incidence of Central Excise duties on sugar, cotton fabrics, matches, kerosene and petrol is annexed. No Central Excise duty is leviable on rice, wheat and dal.

The Central Sales Tax is complementary to the levy of local sales tax and its imposition on any goods depends upon whether such goods are subjected to local sales tax or not. Further, this tax is *ad valorem* and its incidence would depend upon price of the goods obtaining in the state from where the sale originates. Further, the administration of Sales tax, including power to grant exemption from such tax, has been entrusted by law to states who collect and retain the proceeds thereof. For these reasons, it would not be possible to indicate in a general way the incidence of Central or local Sales tax on the goods referred to in the Question.

Statement

Incidence of Central Excise Duty (in Paise)

Descirption	Unit	Incidence of duty			Remarks
		Basic	Additional	Total	
1	2	3	4	5	6
@1. Sugar (Crystal)					
(*i*) Free sale sugar.	Per Kg.	64·80	16·20	81·00	
(*ii*) Levy sugar .	„	28·69 (min) to 39·03 (max.)	8·60 (min) to 11·71 (max.)	37·29 (min.) to 50·74 (max.)	The incidence of duty per Kg. on *levy sugar* varies according to different ISS grades and the regions in which the factories are situated. Minimum and maximum incidences are, therefore, indicated.
2. Matches:					
(*i*) if manufactured in power operated factory	Per box of 50 sticks.	3·194		3·194	
(*ii*) if manufactured in non-power operated factory	„	2·986	..	2·986	

@ In the case of sugar and cotton fabrics, additional excise duty is levied in lieu of sales tax.

1	2	3	4	5	6
3. Kerosene					
(i) Superior	Per litre at 15C	26.500	6·845*	33.345	*The incidence of additional excise duty is expected to be borne by the Oil Companies.
(ii) Inferior	,,	5·090	8·770*	13·860	
4. Petrol (Motor spirit)	,,	100·00	8·155*	108·155	

@5. Cotton fabrics (manufactured in a composite mill)	Per sqaure metre	Fabric duty			
		Yarn duty	Basic	Additional	Handloom	Total
(i) Medium-B-Gray		4·40	..	6·00	1·90	12·30
(ii) Coarse-Grey		2·20	..	3·60	1·90	7·70

Reforms in Taxation System suggested by Minister of Heavy Industry

4275. SHRI MUHAMMED SHARIFF:
SHRI SEZHIYAN:

Will the Minister of FINANCE be pleased to state:

(a) whether Government have considered the question of reform in the Tax System in the country as suggested by Minister of Heavy Industry on 23rd June, 1973 in Hyderabad; and

(b) if so, the outcome thereof?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). In his speeches delivered at Hyderabad on the 23rd June 1973, Shri T. A. Pai, Minister of Heavy Industry did not make any suggestion for reforming the tax system as such. Accordingly the question of considering any proposal in this regard does not arise.

सूरत जिले में पांच बीघा से कम भूमि वालों को राष्ट्रीकृत बैंकों द्वारा दिया गया ऋण

4276. **श्री अमर सिंह चौधरी** : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राष्ट्रीयकृत बैंकों ने गत दो वर्षों में सूरत जिले (गुजरात) में पांच बीघा से कम भूमि वालों को ऋण दिये हैं ;

(ख) क्या पांच बीघा से अधिक भूमि वालों को ऋण दिये गये हैं ; और

(ग) उन बैंकों के नाम क्या हैं जिन्होंने ऋण दिये थे और उनमें से प्रत्येक बैंक ने कुल कितना ऋण दिया है ?

वित्त मंत्रालय में उप-मंत्री (श्रीमती सुशीलारोहतगी): (क) और (ख): सरकारी

@In the case of sugar and cotton fabrics, additional excise duty is levied in lieu of sales tax

के बैंक, छोटे कृषकों की आवश्यकताओं को पूरा करने पर विशेष जोर दे रहे हैं।

(ग) सूरत जिले में कृषकों को दिये गये ऋणों के बैंक-वार आंकड़े अभी उपलब्ध नहीं हैं। जून 1972 के अन्त में सूरत जिले में अनुसूचित वाणिज्यिक बैंकों के 99 कार्यालयों में से जिन 86 कार्यालयों ने सूचना दी है उसके अनुसार कृषि (बागानों को छोड़कर) को दिये गये अग्रिमों की कुल बकाया रकम 1.29 करोड़ रुपये है।

पटसन का मूल्य निर्धारित करना

4277. **श्री ज्ञानेश्वर प्रसाद यादव** : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) पटसन की आगामी फसल में कितना उत्पादन होने की आशा है और पटसन की प्रति क्विंटल उत्पादन लागत क्या होगी ;

(ख) क्या ट्रेड यूनियनों ने मांग की है कि पटसन का मूल्य कम से कम 60 रुपये प्रति मन निर्धारित किया जाना चाहिये ; और

(ग) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) उद्योग तथा व्यापार को लगभग 75 लाख गांठों का उत्पादन होने की है। उत्पादन लागत 56.81 रु० तथा 75 रु० प्रति क्विंटल के बीच रहने का अनुमान लगाया गया है।

(ख) विभिन्न व्यापार संघों द्वारा विभिन्न प्रकार के दावे किए गए हैं।

(ग) कृषि मूल्य आयोग की सिफारिशों के आधार पर सरकार ने इस मौसम के दौरान कच्चे पटसन (आसाम वाटम किस्म) की न्यूनतम समर्थन कीमत 125 रु० प्रति क्विंटल निश्चित की है। तथापि, 157.68 रु० प्रति क्विंटल की औसत कीमत लाने की दृष्टि से भारतीय पटसन निगम को यथा एवं कच्चा पटसन खरीदने का सुझाव दिया गया है।

Breach of Promotion Policy Agreement entered into by L.I.C. with the Federation of L.I.C. Class I Officers Association in 1970

4278. SHRI G. P. YADAV: Will the Minister of FINANCE be pleased to state:

(a) whether the Life Insurance Corporation has committed a breach of the promotion policy agreement entered into with the Federation of Life Insurance Corporation Class I Officers' Associations in 1970; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) No, Sir.

(b) Does not arise.

Representations made by ex-Emergency Commissioned Officers Employed in L.I.C. for Benefit in Fixation of Seniority and Pay

4279. SHRI G. P. YADAV: Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to the representations of the ex-Emergency Commissioned Officers re-employed in the L.I.C. of India for giving benefit in the fixation of seniority and pay, as is being given to the Ex-E.C.Os.

re-employed in Central Government and State Governments; and

(b) if so, the reaction of the Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) Since in terms of the Staff Regulations 1960 all directly recruited candidates are to be put on par, the L.I.C. has not found it possible to give ex-Emergency Commissioned Officers Special benefit in fixation of seniority and pay. They have already received concessions in the matter of reservation of Vacancies, relaxation of age and education qualifications.

भारतीय पटसन निगम द्वारा पटसन का वसूली लक्ष्य निश्चित करना

4280. **श्री ज्ञानेश्वर प्रसाद यादव :** क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि आगामी फसल के लिए भारतीय पटसन निगम ने पटसन का क्या वसूली लक्ष्य निश्चित किया है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री ए० बी० वर्धन) : भारतीय पटसन निगम ने 1973–74 मौसम के दौरान अपने वाणिज्यिक कार्यों के एक भाग के रूप में कच्चे पटसन की 10 से 12 लाख गांठें खरीदने की योजना बनाई है। इसके अलावा समीकरण भंडार बनाने के लिए 5 से 10 लाख गांठें खरीदने का विचार है।

Increase in occupancy charges of Five Star Hotels

4281. SHRI N. K. SANGHI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the occupancy charges of the Five Star hotels in the country have gone up during the last three years;

(b) if so, what were the single occupancy charges of such hotels in Delhi, Bombay and Calcutta as on 1st January during the last three years;

(c) what were the causes for the increase in the charges; and

(d) what steps are being taken by Government to keep the occupancy charges within reasonable limits to attract more tourists from abroad?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Yes, Sir. A statement in respect of hotels so far classified in the five star category, is attached.

(c) Higher operating expenses due to the general price rise, and expenditure on the provision of additional facilities and services involving larger financial outlays, are the main reasons for the increase in hotel tariffs.

(d) The Department of Tourism has prescribed certain regulatory conditions for all hotels on its approved list, according to which they are required to obtain the Department's approval for any revision in rates.

STATEMENT

Single occupancy Tariff of 5-star Hotels at Delhi, Bombay and Calcutta during the last three years. Attached in reply to Part (b) of the Lok Sabha Unstarred Question No. 4281 for 24-8-1973

	Ist Jranuary 1971	Ist January 1972	Ist January 1973
DELHI	Rs.	Rs.	Rs.
(*i*) Ashoka Hotel	80-90	85-90	120
(*ii*) Oberoi Intercontinental Hotel	100-120	120-150	130-170
(*iii*) Claridges Hotel	65-70	85	85
(*iv*) Hotel Imperial	70*	70-90*	85*
BOMBAY			
(*i*) Taj Mahal Hotel	75	90·110	90-110
(*ii*) Sun-n-Sand Hotel	70-80	75	80-104
CALCUTTA			
(*i*) Oberoi Grand	85	75-95	95-135
(*ii*) Hotel Hindustan International	70-95	85	95

Rates inclusive of break fast.

Cars allotted to I.T.D.C. out of the Total number of Cars imported by S.T.C.

4282. SHRI N. K. SANGHI: Will the Minister of COMMERCE be pleased to state:

(a) what is the total number of cars imported by the State Trading Corporation of India every year during the last three years;

(b) how many of these have been allotted to the I.T.D.C. for transportation of tourists and how many issued to the private operators who are engaged in the same job all over the country;

(c) whether the private operators have been asked to return their imported cars to the State Trading Corporation at a depreciated value and if so, the justification for the same; and

(d) whether the private operators have represented to Government against this order and if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Nil.

(b) The number of cars allotted to the I.T.D.C. and to private operators out of imported cars purchased by STC is as follows:—

	ITDC	Private Operators	Total
1970-71	Nil	77	77
1971-72	1	76	77
1972-73	8	50	58

(c) Yes, Sir. The S.T.C. has the option to buy back these cars at depreciated price as a safeguard against undue profiteering by private operators.

(d) Yes, Sir. The Government have not accepted their suggestion.

Profit/Loss to I.T.D.C. Transport Fleet during the last three years

4283. SHRI N. K. SANGHI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) what is the total number of cars that are now being used by the India Tourism Development Corporation;

(b) how many of them are imported and how many manufactured in India;

(c) how many big imported cars are being used by the officers and the justification for not utilising them for tourism purposes; and

(d) what is the profit or loss position of the operations of the I.T.D.C. transport fleet for the last three years?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) The effective fleet of the Corporation comprises of 173 cars.

(b) imported cars	107
Cars made in India (Ambassadors)	66

(c) No imported tourist cars are being used as staff cars.

(d) The profit/loss position of the transport operations for the last three years is as under:

Year	Profit/loss
	Rs. in lakhs)
1970-71	Rs. 0.19(—)
1971-72	Rs. 0.36(+)
1972-73	Rs. 1.99(+)*

*Subject to audit.

बिहार में तस्कर वस्तुओं की बिक्री

4285. **श्री चिरंजीव झा** : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान पटना से प्रकाशित हिन्दी दैनिक "प्रदीप" के 29 जुलाई, 1973 के संस्करण में छपे "विदेशी माल का तस्कर व्यापार" शीर्षक की ओर दिलाया गया है ; और

(ख) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है ?

वित्त मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) :

(क) जी, हां, सरकार ने उक्त समाचार को देख लिया है ।

(ख) उक्त समाचार में भारत-नेपाल सीमा के निर्माली क्षेत्र (बिहार) में तस्कर-व्यापार का उल्लेख किया गया है । नेपाल द्वारा आयात किये गये विदेशी माल तथा नेपाल में उत्पादित गांजे का तस्कर व्यापार किया जाता रहा है । पुरुषों तथा स्त्रियों द्वारा तस्कर-व्यापार किये जाने और तस्कर-व्यापार में अन्तर्राज्यीय तस्कर व्यापारियों के ग्रस्त होने के बारे में भी पहले पता चला है ।

नेपाली मोटर गाड़ियों को भारतीय सीमाशुल्क अधिकारियों द्वारा उनका परिनिरीक्षण किये जाने पर भारत में निकटस्थ रेल पथ-सीमा तक यात्रा करने की अनुमति दी जाती है।

समस्त भारत-नेपाल सीमा पर, जिसमें इस क्षेत्र में निर्मली तथा झंझरपुर शामिल हैं, सीमाशुल्क निवारक एकक कायम किये गये हैं। इन निवारक एककों में पर्याप्त पर्यवेक्षी अधिकारी हैं और सम्पूर्ण सीमा पटना स्थित सीमाशुल्क समाहर्ता (निवारक) के अधिकार क्षेत्र के अन्तर्गत आती है।

इन सीमाशुल्क निवारक एककों के लिये मोटर गाड़ी, आग्नेय अस्त्रों तथा विशेष प्रशिक्षण की व्यवस्था की गई है।

भारत तथा नेपाल के बीच तस्कर व्यापार किये जा रहे माल पर रोक एवं प्रतिबन्ध लगाये गये हैं।

भारत-नेपाल के बीच तस्कर-व्यापार तथा व्यापार के अपवर्तन को रोकने की दृष्टि से नेपाल के महामहिम की सरकार से अनुरोध किया गया है कि वह अपनी व्यापार एवं टैरिफ नीति में संशोधन करे। हाल ही में नेपाल सरकार द्वारा किये गये उपायों के कारण, जिनमें केवल सरकारी क्षेत्र के माध्यम से ही कच्चे पटसन का निर्यात करने के उपाय, गांजे की बिक्री एवं उपज पर रोक लगाने के उपाय तथा नेपाली सीमाशुल्क विभाग के कर्मचारियों के तस्कर व्यापार विरोधी उपाय शामिल हैं, भारत-नेपाल तस्कर-व्यापार को रोकने में और अधिक सहायता मिल रही है।

राज्य एवं केन्द्रीय सरकार की विभिन्न एजेंसियों द्वारा गुप्त सूचना को और अच्छे ढंग से एकत्र करने तथा निवारक अभियान में समन्वय कायम करने की दृष्टि से, विशेष व्यवस्थाएं की गई है।

बैंकिंग तथा अन्य अनुषंगी विषयों पर हिन्दी में पाठ्य पुस्तकें उपलब्ध कराने के बारे में समय-बद्ध कार्यक्रम

4286. **श्री चिरंजीव झा :** क्या **वित्त** मन्त्री 27 जुलाई, 1973 के अतारांकित प्रश्न संख्या 989 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने बैंकिंग तथा अन्य अनुषंगी विषयों पर हिन्दी में पुस्तकें उपलब्ध कराने हेतु कोई समयबद्ध कार्यक्रम तैयार किया है ;

(ख) यदि हां, तो यह कब तक लागू हो जायगा ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं?

वित्त मंत्री (श्री यशवन्तराव चव्हाण) : (क) से (ग) : हिन्दी सहित भारतीय भाषाओं में विश्वविद्यालय के स्तर की पुस्तकों को तैयार करने की योजना के अन्तर्गत बिहार, हरियाणा, मध्य प्रदेश, राजस्थान और उत्तर प्रदेश में स्थापित की गई हिन्दी ग्रन्थ अकादमियों के नाम की जांच स्वयत्तशासी संगठनों ने बैंक व्यवसाय से सम्बन्धित 18 पुस्तकों को अंग्रेजी से हिन्दी में अनुवाद के लिये चुन लिया है। दो पुस्तकों का अर्थात् (1) जार्ज एन० हाम को मनी थ्योरी ; और (2) आर० एस० सेयर्स की मार्डन बैंकिंग का प्रकाशन हो चुका है। अन्य 16 पुस्तकों का हिन्दी अनुवाद कार्य चल रहा है। कार्य में प्रगति हो रही है। कोई समयबद्ध कार्यक्रम तैयार नहीं किया गया है।

Number of S.C. & S.T. employees working in the Ministry of Tourism and Civil Aviation

4287. SHRI R. N. BARMAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the total number of Scheduled Caste and Scheduled Tribe employees working at present in his Ministry;

(b) how many vacancies, reserved for Scheduled Castes and Scheduled Tribes, category-wise, have not been filled up during 1972 and carried over to the next year; and

(c) the reasons for not filling up these vacancies during that year?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) to (c). A statement giving the requisite information in respect of the Ministry (proper), Department of Tourism, India Meteorological Department and the Commission of Railway Safety is attached. The requisite information in respect of the Civil Aviation Department is being collected and will be laid on the table of the Lok Sabha.

STATEMENT

Total number of Scheduled Caste and Scheduled Tribe employees working in the Ministry of Tourism and Civil Aviation, the number of vacancies reserved for Scheduled Castes and Scheduled Tribes category-wise not filled during 1972 but carried over to the year 1973 and the reasons for not filling these vacancies during that year.

(*a*)	Number of Scheduled Castes and Scheduled Tribes working	
	Scheduled Castes	Scheduled Tribes
Ministry (proper)	53	4
Department of Tourism	49	12
India Meteorological Department	773	149
Commission of Railway Safety	9	..

(*b*)	Number of vacancies not filled up during 1972 and carried over to the next year.	
	Scheduled Castes	Scheduled Tribes
Ministry (proper)		
Class II	1	1
Class III	3	3
Department of Tourism		
Class III	1	1
India Meteorological Department		
Class I	..	3
Class II	5	11
Class III	..	11
Commission of Railway Safety		1
Class III	..	1

(*c*) *Reasons for not filling these vacancies during that year.*

Non-availability of suitable candidates.

S.C./S.T. Employees working in Commerce Ministry

4288. SHRI R. N. BARMAN: Will the Minister of COMMERCE be pleased to state:

(a) the total number of Scheduled Caste and Scheduled Tribe employees working at present in his Ministry;

(b) how many vacancies reserved for Scheduled Castes and Scheduled Tribes, Category-wise, have not been filled during 1972 and carried out to the next year; and

(c) the reasons for not filling these vacancies during that year?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (c). A statement laid on the Table of the House. [*Placed in Library. See* No. LT-5490/73.]

Strengthening of Economic Relations between India and U.S.A.

4289. SHRI H. M. PATEL: Will the Minister of COMMERCE be pleased to state:

(a) whether the United States Business Mission recently visited India and had talks with the Government of India for strengthening economic relations between the two countries;

(b) if so, the broad outlines of the discussions held with the mission;

(c) whether any agreement emerged consequent upon these discussions; and

(d) the extent to which economic and industrial relations between the two countries are likely to be strengthened consequently?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) No, Sir.

(b) to (d). Do not arise.

Foreign Exchange Earnings during 1973-74

4290. SHRI H. M. PATEL: Will the Minister of FINANCE be pleased to state:

(a) the total amount of foreign exchange earnings through exports during the current year; and

(b) whether foreign exchange earnings have declined during the current year and if so, the reasons therefor and how the balance of payment position has been affected consequently?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b). Balance of Payments data are not available after 1971-72. However, exports as per customs data compiled by Department of Commercial Intelligence and Statistics amounted to Rs. 1961.5 crores in 1972-73 against Rs. 1607 crores in 1971-72. It is also known, that there was a decline in reserves in 1972-73 as compared with the increase of nearly Rs. 42 crores in the previous year.

Request to I.M.F. for additional credit facilities for financing Fourth Five Year Plan

4291. SHRI H. M. PATEL: Will the Minister of FINANCE be pleased to state:

(a) whether Government have sounded the International Monetary Fund for additional credit facilities for financing the Fourth Five Year Plan;

(b) if so, the amount of credit sought from the International Ministry Fund; and

(c) the reaction of the International Monetary Fund thereto?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) No, Sir.

(b) and (c). Do not arise.

उत्तर प्रदेश के बिजली बोर्ड द्वारा ग्रामीण विद्युत्तीकरण के लिये पंजाब नेशनल बैंक से ऋण की मांग

4292. **डा० गोविन्द दास रिछारिया :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश के बिजली बोर्ड ने झांसी जिले के पिछड़ेपन को देखते हुए एक ग्रामीण विद्युत्तीकरण कार्यक्रम के लिये पंजाब नेशनल बैंक से ऋण मांगा है ;

(ख) यदि हां, तो ऋण के रूप में कितनी धनराशि मांगी गई है ; और

(ग) उक्त ऋण की मंजूरी कब तक दे दी जायेगी ?

वित्त मंत्री (श्री यशवन्तराव चव्हाण): (क) से (ग) : उत्तर प्रदेश के 4 जिलों में, जिनमें झांसी भी सम्मिलित है, ग्रामीण विद्युत्तीकरण के लिये पंजाब नेशनल बैंक ने 302.64 लाख रुपये की राशि के प्रस्ताव प्राप्त किये हैं। ग्रामीण विद्युत्तीकरण निगम के साथ परामर्श करके इन प्रस्तावों का तकनीकी मूल्यांकन किया जा रहा है और इनसे सम्बन्धित सभी मामलों पर सावधानी-पूर्वक विचार करके निर्णय लिया जायेगा

बुन्देल खण्ड क्षेत्र में सांस्कृतिक और ऐतिहासिक महत्व के स्थानों का विकास

4293. **डा० गोविन्द दास रिछारिया :** क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि बुन्देलखण्ड क्षेत्र में और विशेषकर झांसी जिले में अनेक दर्शनीयस्थान हैं ;

(ख) यदि हां, तो पर्यटन सवंर्धन की दृष्टि से विशेषकर झांसी का जिला, रानी लक्ष्मीबाई का महल, गंगाधर राव का स्मारक स्थल, पोरछा के प्राचीन मन्दिर, बरुआ सागर का प्राचीन किला एवं आश्रम, देवगढ़ के प्राचीन मन्दिर, चित्रकूट, महोवा और कालिंगर के विकास और उनके रखरखाव के लिये सरकार क्या कार्यवाही कर रही है ; और

(ग) बुन्देलखण्ड क्षेत्र में पर्यटन के विकास के लिए सरकार ने कितनी धनराशि नियत की है ?

पर्यटन और नागर विमानन मंत्री (डा० कर्ण सिंह) : (क) जी, हां ।

(ख) पर्यटन विभाग के पास ऐतिहासिक एवं पुरातत्विक स्मारकों के संरक्षण व संधारण के लिये किसी निधि की व्यवस्था नहीं है ; वस्तुतः यह दायित्व केन्द्र तथा राज्य सरकारों के पुरातत्व विभागों का है ।

(ग) : साधनों की कमी एवं अन्य प्राथमिकताओं के कारण बुन्देलखण्ड क्षेत्र में पर्यटन के विकास के लिये केन्द्रीय क्षेत्र में कोई धनराशि नियत नहीं की गई है ।

Construction Equipment lying Idle for want of spare parts

4294. SHRI VASANT SATHE: Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to the news item appearing in the 'Economic Times' dated 31st July, 1973 (page 1) under the caption 'Construction equipment idling'; and

(b) if so, what steps are being taken for import or indigenous production of spare parts to normalise the situation?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) Yes, Sir.

(b) Foreign Exchange allocations have been made to enable established importers to maintain adequate stock of spares needed for construction equipment so that such equipment is not allowed to remain idle for want of spares. Efforts are also being made to effect import substitution to the extent possible.

Forward Trading of Sugar in Bombay, Poona and Kolhapur

4295. SHRI VASANT SATHE: Will the Minister of COMMERCE be pleased to state:

(a) whether the attention of Government has been drawn to the reported news item appearing in 'Economic Times' dated 29th July, 1973 under the caption "Illegal heading"; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Yes, Sir.

(b) The Forward Markets Commission is investigating the matter and will take suitable action as required.

Export of Iron Ore

4296. SHRI DEVINDER SINGH GARCHA:
SHRI SUKHDEO PRASAD VERMA:

Will the Minister of COMMERCE be pleased to state:

(a) whether lack of development of proper transport system, port facilities and modern large scale mining stands in the way of export of iron ore from the country and is a hurdle in competing with others in the field;

(b) whether to avoid pollution and high labour costs the importing countries have shown a tendency to buy only the processed Iron ore to feed direct to their blast furnaces; and

(c) if so, what immediate steps are being taken to see that India does not lose markets outside due to tough competition from rivals?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). Yes, Sir.

(c) The Government have a number of projects in hand for development of deep draft ports, augmentation of rail transport capacities and large scale mechanisation of mines. Projects for pelletization and benefaction of ore are under consideration. A pelletization plant is under construction.

Views of Chief Executives of Public Sector Undertakings on Role of of Public Enterprises

4297. SHRI PRABODH CHANDRA: Will the Minister of FINANCE be pleased to state:

(a) whether the Action Committee on Public Enterprises set up under the Chairmanship of Shri M. S. Pathak, Member, Planning Commission, sought the views of Chief Executives of selected public sector enterprises on the role of Bureau of Public Enterprises;

(b) if so, whether the Action Committee received replies from all the enterprises;

(c) whether most of the Chief executives of public enterprises in their reply have criticised the role played by Bureau of Public Enterprises and emphatically argued for the dis-continuance of the Bureau so as to enable them to function more efficiently without interference; and

(d) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Yes, Sir.

(b) Some of the enterprises addressed have replied.

(c) No, Sir. Some suggestions have, however, been made for modification and re-alignment of the Bureau's functions and its methods of working.

(d) The Report of the Action Committee is still awaited.

Proposal to Produce Documentaries on the Cultural Heritage of the Country and Screening them at Selected Tourist Centres

4298. SHRI SUKHDEO PRASAD VERMA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether a proposal is under the consideration of Government to produce documentaries on the cultural heritage of the country and screen them at the selected tourist centres; and

(b) if so, the broad outlines thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The Department of Tourism has over the years puchased a number of documentaries on India's cultural heritage as well as scenic and touristic attractions from Films Division of the Ministry of Information and Broadcasting and other sources. The films are kept in the film libraries of the Indian and overseas tourist offices for screening. List of a few selected films relating to India's cultural heritage stocked with our Indian and overseas tourist offices is given in the Statement laid on the Table of the House.

STATEMENT

LIST OF FILMS

S. No.	Name of the Film	Running Time
1	BANARAS	17 minutes
2	BHARAT NATYAM	12½ "
3	DANCING FEET	20 "
4	DELHI—The Historic Capital City of India	20 "
5	FEMININE FASHIONS (Jewellery of India)	12 "
6	FESTIVAL TIME	10 "
7	FOUR CENTURIES AGO—The story of Fathepur Sikri and Taj Mahal	11 "
8	INVITATION TO AN INDIAN WEDDING	20 "
9	KHAJURAHO	16½ "
10	KONARAK	22 "
11	MUSIC OF INDIA (Drums)	10 "
12	MUSIC OF INDIA (Instrumental)	10 "
13	RADHA AND KIRSHNA—Story of Radha and Krishna through miniature paintings	10 "
14	TAJ MAHAL	12 "
15	POOVANAM—South India Tour	
16	AKBAR	
17	IN THE FOOTSTEPS OF BUDDHA Produced in Tokyo in 1971	20 "

Raising of Direct Lending Rate by I.F.C.

4299. SHRI P. M. MEHTA: Will the Minister of FINANCE be pleased to state:

(a) whether the Industrial Finance Corporation has also decided to raise its direct lending rate as the Industrial Development Bank of India has done following the bank rate hike;

(b) if so, the reasons therefor, and by how much per cent; and

(c) when the new rate would become effective?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) to (c). The Industrial Finance Corporation of India has increased the rates of interest charged by it in respect of loans granted by it in rupees as well as in foreign currencies, by 1/2 per cent, with effect from the 12th July, 1973. The revised rates of interest as well as the rates obtaining prior to the aforesaid revision are as under:—

Rupee loans	Interest rates (gross) w.e.f. 12th July, 1973	Interest rates (gross) before the revision.
(*a*) Normal rate . . .	9½% p. a.	9% p.a.
(*b*) Rate for soft loans to Jute Industry and export-oriented cotton textile mills .	8½% p.a.	8% p.a.
(*c*) Rate for rupee loans for industrial project in notified backward districts/areas	8% p.a.	7 1/2% p.a.a.
Sub-loan in foreign currencies	10% p.a.	9½% p.a

The above-mentioned rates of interest are subject to a rebate of 1/2 per cent p.a. for punctual repayment of instalments of principal and payment of interest.

The above-mentioned revision has been made, in line with other term-lending institutions, having regard, *inter alia*, to the structure of interest rates in the market and the increase in the bank rate from 6 per cent to 7 per cent with effect from the 31st May, 1973, and increased cost of borrowing of funds by the Corporation.

Disposal of Confiscated Goods by sale in Shops at International Airports

4800. SHRI P. M. MEHTA:
SHRI R. V. SWAMINATHAN:

Will the Minister of FINANCE be pleased to state:

(a) whether Government are considering a proposal under which smuggled goods would be sold in shops at international airports;

(b) if so, the reasons therefor;

(c) whether smuggled goods are at present sold in cooperatives and other Government shops; and

(d) if so, what useful purposes will be solved by the new decision?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Government have accepted the recommendation of the Committee on Disposal of Confiscated Goods and issued instructions that confiscated watches which are likely to be of interest to the tourists may be sold against foreign exchange in the duty free shops run by the Indian Tourism and Development Corporation in the transit lounges at the International airports. A proposal made very recently regarding such sales of other confiscated goods is under consideration.

(b) By such sales the Government shall be able to earn some foreign exchange.

(c) Confiscated consumer goods are being sold by Cooperative Societies and Super Bazars who received their suplies of such goods from the National Cooperative Consumer Federation or its constituent units.

(d) As at (b) above.

Impact of fall in value of Dollar on India's Exports

4301. **SHRI P. M. MEHTA:** Will the Minister of COMMERCE be pleased to state:

(a) whether fall in the value of dollar has effected Indian exports;

(b) if so, to what extent;

(c) whether Indian exporters of jute goods are getting princed out of the U.S. market; and

(d) if so, what steps have been taken by Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) to (d). In the absence of trade data of India's exports to the U.S. during the current period of 1973 and the international monetary situation still remaining fluid, it is not possible to say precisely about the effect of dollar devaluation of our exports to U.S.A. However, in view of the appreciation of the Indian rupee in relation to the U.S. dollar (which is likely to make Indian products in the U.S. market a little more expensive than before), some slowing-down in the tempo of our exports to the U.S.A. is possible.

With a view to improve the competitive position of Indian Jute goods in the U.S. and other markets, the export duty on primary carpet backing has been reduced from Rs. 300 per tonne to Rs. 200 per tonne and that on secondary carpet backing from Rs. 700 to Rs. 300 per tonne w.e.f. 12th June, 1973.

Delayed Flights due to False Alarm about Planting of a Bomb in an Aircraft at Palam Airport on 30th July, 1973

4302. SHRI R. V. SWAMINATHAN:
SHRI P. A. SAMINATHAN:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether false alarm about the planting of a bomb in an aircraft delayed flights at Palam Airport on 30th July, 1973;

(b) whether in view of this, Government are considering tightening of the security measures at all the international airports;

(c) if so, what kind of security arrangements have been made; and

(d) whether any detectives are also being posted at these airports?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) Yes, Sir. The International Airports Authority of India received an anonymous bomb-threat on the telephone on 30th July, 1973. However, no Indian Airlines flight out of Delhi were delayed on this account.

(b) and (c). Steps have already been taken to streamline the security arrangements at the four international airports. It has also been decided to induct the Central Industrial Security Force at the international airports to replace the Chowkidhari system. This Force is already in position at Delhi with effect from 10th August, 1973.

(d) This is not considered necessary.

Investment made by Institutional, Financial Institutions in Development of Industries in Mysore

4303. SHRI T. V. CHANDRASEKHARAPPA VEERABASAPPA: Will the Minister of FINANCE be pleased to state:

(a) The investment made by institutional financial institutions like I.F.C., I.C.I.C.C., I D B; in development

of industries in Mysore State as compared in Maharashtra, Gujarat and Andhra Pradesh; and

(b) the extent of finance released to meet the scarcity conditions from 1971-72 to 1973-74 in Mysore as compared to Maharashtra, Gujarat and Andhra Pradesh?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): (a) and (b) The all-India term financing institutions like the Industrial Finance Corporation of India, the Industrial Credit and Investment Corporation of India Limited and the Industrial Development Bank of India give financial assistance to the industrial concerns and industrial cooperatives located in different States for setting up of new industrial concerns and for expansion/modernisation of existing industrial concerns including industrial cooperatives. They do not render assistance to the States to meet the scarcity conditions.

The total financial assistance sanctioned and disbursed by the Industrial Finance Corporation of India (IFC), the Industrial Credit and Investment Corporation of India Limited (ICICI) and the Industrial Development Bank of India (IDBI) to the industrial concerns located in the States of Mysore, Maharashtra, Gujarat and Andhra Pradesh is as under:—

(Rupees in lakhs)

Financial assistance by

Name of the State	IFC (as on 30-6-73)		IC ICI as on(31-3-73)		IEBI (as on 30-6-73)	
	Sanctioned	Disbursed	Sanctioned	Disbursed	Sanctioned	Disbursed
Mysore	2949.96	2265.54	2231.00	1516.00	4769.00	2800.00
Maharashtra	9937.42	8052.96	14177.00	10612.00	19808.00	16671.00
Gujarat	3133.74	2562.81	4622.00	3508.00	7929.00	5819.00
Andhra Pradesh	2889.68	2547.80	1485.00	1043.00	3196.00	2987.00

Flights of Air India to Moscow

4304 SHRI HARI KISHORE SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Air India has abandoned its plans to increase its flights to Moscow to three times a week; and

(b) if so, the reasons therefor?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Air India has no plans to increase its flights to Moscow as it is felt that the traffic capacity offered is sufficient to meet the present requirement.

Effect of Revaluation of German Currency on Indo-German Trade

4305. SHRI HARI KISHORE SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether the recent revaluation of West Germany currency by 5.5. per cent has adversely affected the Indo-German trade; and

(b) if so, the steps taken by Government to meet the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a). No, Sir.

(b) Does not arise.

Facility of Free Passage to Former Employees by Indian Airlines

4306. SHRI HARI KISHORE SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Indian Airlines has given facilities of free passage to its former employees;

(b) if so, the reasons therefor;

(c) the estimated loss of revenue to Indian Airlines on this account during the last three years; and

(d) the reaction of Government thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The Indian Airlines service Regulations were amended from 1st April, 1972 to provide that an employee, who has retired from service of the Corporation after completing a minimum of 20 years continuous service may be allowed one free passage every calendar year or two free passages every alternative calendar year and not more than two 75 per cent rebated passages every calendar year. These provisions were actually brought into force from 1st January, 1973 and retired employees are being allowed free or concessional passages as part of staff welfare measures.

(c) and (d). Since the passages are granted subject to load basis, the Corporation do not incur any loss of revenue as such.

Export of Cutlery to U.S.A.

4307. SHRI HARI KISHORE SINGH: Will the Minister of COMMERCE be pleased to state:

(a) the extent to which 'quota system' affects the export of Cutlery from India to U.S.A.; and

(b) the steps taken by Government to remove the impediments?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A.C. GEORGE): (a) The Government of U.S.A. have fixed a quota of 194.4 million pieces per annum, for the import of stainless steel tableware/flatware of certain types into the USA. The bulk of the quota has been allocated to countries which have been the principal exporters of these items to the USA. The small residuary quantity is available for utilisation by other countries, including India. Imports into the USA within the quota levels are charged import duty at a lower rate while imports beyond the quota limits face a higher rate of import duty. The growth of exports of such tableware from India is thus affected.

(b) Efforts were made to get a separate quota allocated for India but these have not so far been successful.

Providing of Financial Assistance by Reserve Bank to Cooperative Agricultural and Industrial Sectors

4308. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of FINANCE be pleased to state the financial assistance to be provided by the Reserve Bank in the current year to the Co-operative, Agricultural and Industrial sectors in the State of Kerala, separately?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): The Reserve Bank of India does not provide any direct finance to any of the sectors but only extends refinance facilities to banks. The Reserve Bank of India sanctioned Rs. 18.50 crores for seasonal agricultural operations, Rs. 38 lakhs for medium-term agricultural purposes and Rs. 64.82 lakhs for financing weavers societies, to the Kerala State Co-operative Bank for the various Central Co-operative banks in Kerala. A total of Rs. 60 lakhs by way of credit limits to Kerala Handloom Weaverss' Co-operative Society has also been sanctioned by the Reserve Bank of India.

Besides, the Industrial Development Bank of India (a Reserve Bank of India subsidiary) since its inception upto 30th June, 1973, has sanctioned Rs. 17.06 crores to various industrial units in Kerala State.

Loan Advanced by Branches of Nationalised Banks in Districts of Kerala

4309. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of FINANCE be pleased to state:

(a) the loan advanced by the branches of the nationalised banks in the Districts of Kerala;

(b) how many applications were made, District-wise during June, 1972 to June 1973;

(c) whether tribal and scheduled Castes applications are not given any loan; and

(d) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) The available information in regard to the districtwise outstanding advances of scheduled commercial banks, including the nationalised banks in the State of Kerala as on the last Friday of June, 1972 are given below:—

Name of the District	Adances (in lakhs of Rs.)
Trivandrum	1632
Quilon	2101
Alleppey	1019
Kottayam	933
Ernakulam	5022
Trichur	1151
Palghat	473
Idikki	77
Kozhikode	1215
Malappuram	200
Cannanore	910
TOTAL	14733

(b) Periodical returns submitted by the commercial banks to the Reserve Bank of India do not provide for information relating to number of applications received by bank offices.

(c) and (d). All applications including those by members of Scheduled Tribes are considered on merit and no discrimination is made against those belonging to the Scheduled Castes and Scheduled Tribes.

Construction of a Civil Aerodrome at Cochin in Kerala

4310. SHRIMATI BHARGAVI THANKAPPAN:
SHRI C. H. MOHAMED KOYA:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether any progress has been made by now for the construction of a Civil Aerodrome at Cochin in the State of Kerala; and

(b) if so, the extent thereof and if not, the reasons therefor?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). The survey reports on possible sites are under evaluation.

Construction of an Aerodrome at Karipur Near Calicut in Kerala

4311. SHRIMATI BHARGAVI THANKAPPAN:
SHRI C. H. MOHAMED KOYA:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether any progress has been made by now for the construction of an aerodrome at Karipur, near Calicut, in the State of Kerala; and

(b) if so, when the work will be started and completed?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) and (b). Plans and estimates have been prepared, and it is proposed to take up the work during the Fifth Plan period.

Steps to Check Smuggling of watches into India

4312. SHRI SOMNATH CHATTERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether there is a large scale smuggling of foreign watches; and

(b) if so, what steps Government are proposing to take to stop such smuggling?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) In view of the large seizures made by the Customs authorities from time to time of foreign watches attempted to be smuggled into the country it can be said that foreign watches are being smuggled into India on a large scale.

(b) The steps taken by the Government to prevent smuggling and the steps proposed to be taken in this regard are as follows:—

Systematic collection and follow up of information, keeping a watchful eye on the suspected smugglers, rummaging of suspected vessels or aircraft, and checking of vulnerable sectors along the coast and the land frontiers. Additional launches and vehicles are being provided from time to time for effective interception, prevention, etc. Some senior officers of the rank of Collectors of Customs, Additional Collectors of Customs and Assistant Collectors of Customs have been posted in vulnerable areas to look after anti-smuggling work exclusively. Customs Act, 1962 has been amended making additional provisions to take special measures for the purpose of checking illegal import of certain commodities and facilitating their detection. A Bill to further amend the Customs Act, 1962 to provide more severe punishments for smuggling offences and to plug loopholes has been passed by the Parliament. Steps have been taken to acquire fast sea crafts.

The question of augmenting anti-smuggling staff is under active consideration. The position is kept under constant review.

I. & B. Ministry's Proposal for taking over Metro Cinemas at Bombay and Calcutta

4313. SHRI INDRAJIT GUPTA: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 8509 on the 27th April, 1973 regarding Information and Broadcasting Ministry's proposal for taking over Metro Cinemas at Bombay and Calcutta and state:

(a) whether Government have now accepted the legal validity of the transfer of shares of the Metro Theatres at Calcutta and Bombay to M/s. Tramarsa S.A. of Geneva;

(b) if so, whether any inquiries are still being held into the allegedly irregular purchase of these cinemas by certain Indian private parties acting on behalf of M/s. Tramarsa; and

(c) if the inquiries have been called off, the reasons therefore?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) the transaction was between two non-residents in respect of the shares of a non-resident company. Since the seller and the purchaser are both non-residents they do not come within the purview of the Foreign Exchange Regulation Act 1947.

(b) Yes, Sir.

(c) In view of (b), question does not arise.

Total availability/requirements of Aircraft by Indian Airlines and Air India

4314. SHRI B. R. SUKHLA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the number of aircrafts with the Air India and the Indian Airlines and its break-up;

(b) the number of aircrafts whose life is considered to be over and are still in operation;

(c) the total availability/requirements of aircraft by these two services, separately; and

(d) what steps are being taken to fill the gap of availability and requirements and towards the modernisation of the services?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH): (a) The number of aircraft and their break-up is given below:—

Air-India		*Indian Airlines*		
Type of aircraft	Number	Type of aircrafs	Number	
Boeing 707	9	Boeing 737	6	
Boeing 747	4	Caravelle	7	
		F27	9	
TOTAL	13	HS-748	15	
		Viscount	6	
		DC-3	7	(including one Freighter)
		TOTAL	50	

(b) No specificlife span has been laid down, and all aircraft in operation in Indian Airlines and Air-India are covered by certificates of airworthiness. Indian Airlines, however, propose, during the Fifth Plan period, to phase out some of their older aircraft.

(c) and (d). Air-India have given a letter of intent to the Boeing Company for the purchase of a Boeing 747 aircraft for delivery in December, 1974. They further propose to purchase two wide-bodied sub-sonic jet aircraft during the 5th Plan period. Government have approved the proposals of Indian Airlines to obtain on lease three Caravelle Aircraft for a period of 18 months and to give a letter of intent to the Boeing Company for the purchase of one Boeing-737 in replacement of the aircraft lost on 31st May, 1973. This aircraft is due to be delivered during October/November, 1974. As a part of the programme for augmenting their fleet capacity, Indian Airlines have submitted certain proposals to the Government, which are under consideration.

Setting up of a medium size Jute Factory in Tripura

4315. SHRI DASARATHA DEB: Will the Minister of COMMERCE be pleased to state:

(a) whether any final scheme has been drawn up by Government for setting up medium size jute factory in Tripura; and

(b) if not, when such scheme is likely to be drawn up and when work will be started in Tripura as per declaration?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). A letter of Intent has been issued in favour of the Government of Tripura for setting up a jute mill with a capacity of 200 looms for the production of 13,872 tonnes of sacking and hessian. The Letter of Intent is valid upto 29th July, 1974.

Shortage of Yarn for Handloom Cottage Industry in Tripura

4316. SHRI DASARATHA DEB: Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware that Handloom Cottage industries, particularly those started by Tribal Manipuri women in Tripura, have been suffering a lot from non-availability of yarns at reasonable prices in Tripura; and

(b) if so, what assistance Government of India propose to provide to them through the State Government to protect the Cottage Industries?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) There has been a shortfall in yarn production in the country, following power-cuts. In this context, Government had received some reports about shortage of yarn in Tripura State.

(b) The Textile Commissioner is making allocations of yarn according to the pattern of requirements of the State Government out of the quantities available for allocation. Production of yarn is also likely to improve, following removal of power-cuts.

Exports to and Imports from Bangladesh

4317. SHRI SHRIKISHAN MODI: Will the Minister of COMMERCE be pleased to state what has been the value of India's exports to Bangladesh and imports from that country so far?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): According to the figures maintained by the Directorate General of Commercial Intelligence and Statistics. India's Exports to Bangladesh during April—December, 1972, were of the order of Rs. 59.80 crores as against imports valued at Rs. 1.64 crores for the same period. Figures of our trade with Bangladesh beyond December, 1972, are not available.

Seeking of permission by Punjab Government to Feed Pure Opium to Addicts

4318. SHRI SHRIKISHAN MODI: Will the Minister of FINANCE be pleased to state:

(a) whether the Punjab Government have sought permission from the Centre "to feed" pure opium to the addicts in the State;

(b) if so, the main features of the proposal; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): (a) Opium free from all adulterants, is supplied to the State Governments including Punjab, for issue on medical grounds to registered opium addicts, on the basis of requisition made by the State Governments. 16.5 kilogram of opium were supplied to the Government of Punjab in 1972-73. No requisition for the year 1973-74 or any other proposal in this regard has so far been received from the Government of Punjab.

(b) and (c). In view of (a) above, the question does not arise.

Purpose and development of Kandla Free Trade Zone

4319. SHRI P. G. MAVALANKAR: SHRI P. M. MEHTA:

Will the Minister of COMMERCE be please dto state:

(a) the date of founding and the purposes of the Kandla Free Trade Zone in Kutch (Gujarat);

(b) whether it was established by a proper Legislative enactment;

(c) if not, how was the Zone created and which Government authorities are responsible for developing it; and

(d) the present State of progress; or otherwise, of the said Zone?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A C. GEORGE): (a) The KFT Zone came into existence on 7th March 1965 with the following objectives:—

(i) to promote Indian exports and earn more foreign exchange;

(ii) to bring about fuller utilization of the facilities already developed at Kandla Port; and

(iii) to increase employment potential of Kandla-Ghndhidham area.

(b)Not by any separate legislative enactment.

(c) The scheme for the establishment of the KFT Zone was approved by the Union Cabinet on the proposals submitted by the Ministry of Shipping and Transport. The subject was thereafter transferred to the Ministry of Commerce.

(d) The progress of the Zone, measured in terms of exports, is given below:—

Year	Export in Rupees
1966-67	7,48,832
1967-68	8,94,789
1968-69	51,80,642
1969-70	60,18,344
1970-71	34,44,245
1971-72	79,78,056
1972-73	1,51,17,167
1973-74 (up to 6-8-73)	54,59,439

Agreement between India and Bangladesh in Jute Prices

4320. SHRI M. S. SANJEEVI RAO: Will the Minister of COMMERCE be pleased to state:

(a) whether Indo-Bangladesh pact on Jute prices is likely to be signed; and

(b) if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). A Joint Indo-Bangladesh Study Group has been set up to evolve a common jute policy. The Study Group has not yet finalised its report.

Measures to Detect Income of Non-Salaried Class and Small Businessmen etc.

4321. DR. H. P. SHARMA: Will the Minister of FINANCE be pleased to state what measures have been evolved to detect the income of non-salaried class, including small businessmen, small-industrialists, craftsmen and other wage-earners?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHR K R. GANESH): Administrative and legislative measures taken from time to time regarding tax evasion, apply equally to big and small cases. In particular, recent measures such as spot assessment scheme, summary assessment scheme, mass communication programme and increased accent on survey are all intended to bring to tax such income.

Purcase of Inadequate quantity of Jute by Jute Corporation of India

4322. DR. H. P. SHARMA: Will the Minister of COMMERCE be pleased to state:

(a) whether while the support of price of Jute has been fixed between Rs. 40 and 50, its cost of production per maund comes to around Rs. 72;

(b) whether out of 78 lakh maunds of Jute necessary to feed the Jute industry, the Jute Corporation of India purchases only around 4 lakh maunds of jute while the rest is purchased by private traders at very low rates around Rs. 40 per maund and this jute enters the mills at around Rs. 70 per maund;

(c) if so, the reasons for the low procurment by the Jute Corporation of India and the vast scope of blackmarketing allowed to the middlemen; and

(d) the present investment in the Jute Corporation of India and the steps proposed to be taken to make it broad based and to augment its field of activities, with a view to increasing its procurement and preventing exploitation of the growers by middlemen?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) Support price of jute is generally fixed on the recommendations of the Agriculture Prices Commission. The cost of production of jute has been variously estimated and the Directorate of Jute Development had given a figure ranging between Rs. 20 and 26 per maund.

(b) The Jute Corporation of India plans to purchase during the current year 10 to 12 lakh bales as commercial purchases and also conduct price support operations in all primary and secondary markets, the total of which would be around 30 per cent of the total produce. This will also discourage purchases by private traders at very low rates.

(c) The Jute Corporation has already expanded its scale operations and propose to further expand on the basis of experience gained. This will result in reducing the scope for blackmarketing.

(d) The present share capital of Jute Corporation has already drawn Jute Corporation has already drawn up plans for substantial expansion of its activities and will progressively take over the purchase operations of raw jute.

Retail shops for Sale of Controlled Cloth

4323. SHRI G. VISWANATHAN: Will the Minister of COMMERCE be pleased to state:

(a) the number of retail shops opened by cloth mills in the country for the sale of controlled cloth, statewise; and

(b) the percentage of production of controlled cloth to the total cloth production by the mills during the past three years?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): (a) and (b). A statement is atached.

Statement

(*a*) Name of the State	No. of mills own retain shops
Gujarat	182
Rajasthan	19
Maharashtra	204
Andhra Pradesh	13
West Bengal	33
Orissa	2
Tamil Nadu	34
Mysore	39
Kerala	1
U.P.	32
Delhi	218
Punjab	2
Pondicherry	1
Madhya Pradesh . . .	15
	715

(*b*) Period	Qty. in million Sq. metres.	Percentage in relation to packed production
May/July, 1970	73·6	7·61
August/October, 1970 .	40·7	4·47
November 1970/January, 1971	25·2	2·61
February/April, 1971	9·1	1·06
May, 1971	2·5	0·87
June/August, 1971	101·2	11·12
September/November, 1971	103·3	11·36
December/February, 1972	98·7	10·31
March/May, 1972	97·9	10·19
June/December, 1972	168·0	7·34
January/March, 1973 . . .	64·5	6·87%

12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED FRAUD IN THE BANK OF BARODA, BOMBAY

श्री मधु लिमये (बांका) : मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर वित्त मंत्री जी का ध्यान दिलाता हूं और प्रार्थना करता हूं कि वह इस बारे में एक वक्तव्य दें :

"बैंक आफ बडौदा, बम्बई में 70 लाख रुपये की राशि की घोखाधड़ी के समाचार"।

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): Mr. Speaker, Sir, the Bank of Baroda has reported that no fraud in any single account in their Bombay branches of the magnitude of Rs. 70 lakhs has come to their notice. However, during the years 1970 and 1971, a large number of agricultural advances were sanctioned in their Murum branch, Maharashtra, some of which were later found to be irregular. The total amount of such advances disbursed by the then Agent of the branch was reported to be around Rs. 71 lakhs. When certain complaints were received by the bank about the irregularities in the disbursement of these amounts, the Management of the Bank of Baroda conducted an inspection of all the agricultural advances sanctioned in that branch.

According to the bank, out of the total agricultural advances disbursed by the then Agent, in 18 borrowal accounts involving an amount of Rs. 98,400, a shortfall in security to the extent of Rs. 47,850 was detected. Further, an amount of Rs. 95,000 disbused to 56 borrowers was also found to have been diverted for purposes other those for which they were granted.

The bank has reported that, on the basis of the facts revealed from the inspection and the admissions made by the then Agent of the branch, it had taken departmental action against the then Agent of the branch which eventually led to his dismissal from the service of the bank. The bank has further reported that, wherever necessary it has filed civil suits in a number of cases against the clients for recovering the loans.

श्री मधु लिमये : अध्यक्ष महोदय, सब से पहले मैं आप को बधाई देना चाहता हूं। यदि आप ने मेरी बिनती पर इसको स्वीकार नहीं होता तो इस सत्य का उद्घाटन नहीं होता क्योंकि मंत्री महोदय को भी इसकी जानकारी नहीं थी। मंत्री महोदय ने पिछले सप्ताह में ही श्रीनगर बैंक के बारे में यहां जो बहस हुई थी, एक वाक्य कहा था :

"One advantage of the nationalisation of banks is that they frauds are much more quickly exposed to the public, because the matters can be discussed on the floor of Parliament. Naturally, the Reserve Bank and the nationalised banks and everybody will have to be on their toes for that matter.".

यह आशावाद उन्होंने प्रकट किया कि रिजर्व बैंक और राष्ट्रीयकृत बैंक सचेत हो जायेंगे। लेकिन इन की नौकरशाही ऐसी निर्लज्ज है कि यहां दसबार बहस करने के बाद भी मुझे नहीं लगता है कि सचेत वह हो जायेगी जब तक कि आप कोई बड़ी कार्रवाई नहीं करेंगे।

इसके बारे में मैं ने 2 अगस्त को मंत्री महोदय को चिट्ठी लिखी थी। उस का एक हिस्सा मैं पढ़ कर सुनाना चाहता हूं :

"I have been writing to you about the deterioration in the working of the nationalised Banks. Before the opening of this session, I was told

[श्री मधु लिमये]

by well-informed sources that a big fraud involving Rs. 70 lakhs has been committed on the Bank of Baroda, Bombay. I do not know whether you have received detailed information about this. I believe that an investigation ought to be carried out in this scandal. The findings should be placed on the Table of the House."

इस के बाद मैं ने नोटिस दिया और आप ने उसे स्वीकार किया । लेकिन इस नोटिस के बारे में मंत्री महोदय के निजी सचिव से मुझे जो जानकारी मिली, उस के आधार पर मैं ने सैक्रेटरी साहब से कहा कि इस को कुछ समय के लिए मुल्तवी रखा जाये । उस के बाद मैं ने मंत्री महोदय को एक और पत्र लिखा, जो इस प्रकार है :

"With reference to the calling attention notice which was admitted by the Speaker, I had a talk with my informant in Bombay again this morning. He maintains that the information he gave to me about the fraud committed in the Bank of Baroda is true. I agreed to a postponement as your Private Secretary emphatically told me that you had a talk with the Chairman, Bank of Baroda, and there was no truth in the report received by me. In view of the fact that my informant insists on the veracity of the report, will you be so good as to make discreat inquiries on your own?"

उस के बाद मंत्री महोदय यह जानकारी ले कर आये हैं। उन का कहना है कि

"No fraud in any single account in their Bombay branches was detected."

अगर एक एकाउंट में फ्राड नहीं है, कई एकाउंट्स में है—और आंकड़े तो वही हैं—सत्तर लाख रुपये—, तो क्या उसकी गम्भीरता कम हो जाती है है ?

बैंकों के बारे में एक अरसे से मंत्री महोदय से मेरा पत्र - व्यवहार चल रहा है । रीफ़ाइनेंस कारपोरेशन के बारे में जब इस सदन में बहस हो रही थी, तो मैं ने कानपुर की पंजाब नैशनल बैंक की नयागंज शाखा के बारे में कुछ जानकारी सदन में दी थी और श्रीमती सुशीला रोहतगी ने कहा था कि वह उस की जांच करके सदन को बतायेंगी । इस बारे में मैं बताना चाहता हूं कि मेरे पास वह नयागंज शाखा के बारे में 73 चैक्स की सूची है । जे० के० ग्रुप की जो कम्पनियां हैं, उन के चैक हैं । ये सब वाउंस हो गये हैं । एक दो या तीन नहीं, 73 चैक नयागंज शाखा में बांटाये गये है, वाउंस हो गये हैं । मैं आप की इजाजत से इस सूची को सदन के पटल पर रखूंगा* ।

इस के कारण क्या बताये गये हैं ? नम्बर 2 के अनुसार होता है : "नाट एरैंज्ड फार" और नम्बर 4 होता है: "एक्सीडिड एरेंजमेंट ।" इस तरह 73 चैक हैं । इगलैंड और अमरीका में जब चैक वाउंस हो जाता है, तो उस को क्रिमिनल आफेंस माना जाता है, वह अपराध संहिता में आता है, लेकिन हमारे यहां उस के बारे में कोई कार्यवाही नहीं होती है । (व्यवधान) नहीं है । सीधा नहीं होता है । आप को शिकायत करनी पड़ेगी । जिस को चैक मिल रहा है, वह अपना पैसा वसूल करने के चक्कर में रहेगा या वह केस करने के चक्कर में पड़ेगा ? चालीस हजार, पचास हजार रुपये की उस की रकम होती है । इसलिये वह शिकायत नहीं करता है । कोई केस नहीं बनता है ।

बैंकिंग कमीशन ने बहुत सी सिफारिशें की हैं । इस सदन की बैंकिंग कमीशन की इतनी बड़ी रपट पर बहस करने का एक दफ़ा भी मौका नहीं मिला है । (व्यवधान) अध्यक्ष महोदय, आप इसके रैमिफ़िकेशन्ज को देखिये ।

*The Speaker not having subsequently accorded the necessary permission, the paper was not treated as laid on the Table.

MR. SPEAKER: May be many ramifications may be there and they may have a wider scope, but the question is very limited in scope—about a specific item.

श्री मधु लिमये : अध्यक्ष महोदय, इस का स्कोप लिमिटेड नहीं है । आप इस के रैमिफ़िकेशन्स को दीजिये ।

MR. SPEAKER: This is a fraud committed. The Minister has replied and you can confine yourself to that.

श्री मधु लिमये : मैं बता रहा हूं कि ये फ्राड क्यों होते हैं ।

MR. SPEAKER: If you want, we can have a discussion on it. But you cannot thrust everything into the scope of this calling attention motion.

श्री मधु लिमये : अध्यक्ष महोदय, मैं केवल संदर्भ बता रहा हूं । मैं बिल्कुल रेलिवेंट बात बता रहा हूं ? अगर आप ध्यान-आकर्षण नोटिस के बारे में इस प्रक्रिया को चलाना चाहते हैं कि सीधा सवाल पूछा जाये, तो मुझे एतराज नहीं है । लेकिन दूसरे सदस्य तो दस पन्द्रह मिनट बोलते हैं और जब मैं बोलने के लिये खड़ा होता हू, तो आप घटी बजाने लगते हैं ।

अध्यक्ष महोदय : मैं बहुत स्ट्रीक्टली फालो कर रहा हूं ।

श्री मधु लिमये : अध्यक्ष महोदय, क्या आप इस बात से इन्कार कर सकते हैं कि मैं ने जो बात कही है, वह सार्वजनिक हित में है ?

अध्यक्ष महोदय : आप इसके स्कोप में रहिये । (**व्यवधान**) ।

श्री मधु लिमये : जब बैंकों का राष्ट्रीयकरण हुआ, तो प्रधान मंत्री ने इस सदन के सामने कुछ वक्तव्य दिये थे । उन्होंने उस समय कहा था :

"Our economy is once again poised for fresh growth and development. Government believe that public ownership of major banks will help in the most effective mobilisation and develoyment of national resources so that our objective can be realised with a greater degree of assurance. Public ownership will also help to curb the use of bank credit for speculative and unproductive purposes...."

आगे चल कर उन्होंने कहा :

"If money which is deposited and is in the possession of the banks is in the nature of a sacred trust...."

ये सारे आश्वासन देने के बाद लगातार ये घपले और घोटाले के मामले आ रहे हैं । और क्या यह केवल बैंक आफ बडौदा का ही मामला है ? इस बारे में मैं इस से भी आगे बढ़ कर कहना चाहता हू कि अभी भी बैंक वालों ने मंत्री महोदय को पूरी जानकारी नहीं दी है । मैं मंत्री महोदय से कई सवाल पूछना चाहता हूं ।

इस में दिक्कत यह है कि इन के रिजनल आफ़िसिज का स्ट्रक्चर बार बार बदलता रहता हू । बम्बई में दो किस्म की शाखायें हैं । वहां लोक ब्रांच भी है और रिजनल ब्रांच भी । मंत्री महोदय को दोनों के बारे में जांच करके यह बताना चाहिये क्या इस मामले के अलावा सरकार के पास कोई शिकायत पहुंची है और क्या सी० बी० आई० में कोई जांच चल रही है ।

जब मंत्री महोदय ने इन्कार कर दिया, तो मेरा इनफ़ार्मेंट डर गया और उस ने बाद में तफ़सील देने से इन्कार कर दिया । वह

कहता हूं कि जब मंत्री महोदय इन्कार ही कर रहे हैं, तो अब मैं आप को कैसे जानकारी दे सकता हूं, इसमें मेरी नौकरी जाने का भी खतरा है ।

अध्यक्ष महोदय : आप उस को मंत्री महोदय से मिला दें ।

श्री मधु लिमये : मैं ने कहा है कि जे० के० ग्रुप की कम्पनियों के 73 चैक बाउंस हुए हैं। मैं पूछना चाहता हूं कि क्या सरकार इन बातों को कानून में क्रिमिनल ओफ़ेंस बनाने के लिये तैयार है, ताकि भविष्य में इस तरह के घोटाले न हों ।

तीसरा सवाल यह पूछना चाहता हूं कि.....

अध्यक्ष महोदय : आप इन सब का एक ही सवाल बनाइये ।

श्री मधु लिमये : इस पर रोक नहीं है ।

अध्यक्ष महोदय : आप रूल को पढ़िये ।

श्री मधु लिमये : मुझे लगता है कि इस वक्त मंत्रालयों का जो ढांचा है, उस में वैज्ञानिक दृष्टि से परिवर्तन करने की बड़ी आवश्यकता है। मैं मंत्री महोदय की मार्फ़त, और आप की मार्फ़त, प्रधान मंत्री का ध्यान इस की ओर दिलाना चाहता हूं । कम्पनी एफ़ेयर्ज एक मंत्रालय के अन्तर्गत है । कैपिटल इस्यूज श्री चव्हाण के साथ हैं। जहां तक रेवेन्यू इंटेलीजंस, एनफोर्समेंट का सम्बन्ध है, वह डिपार्टमेंट आफ कैबिनेट एफ़ेयर्ज के अन्दर है । कस्टम्ज, इनकम टैक्स, एक्साइज और फ़ोरेन एक्सचेंज विल मंत्रालय के तहत हैं । (**व्यवधान**) इसी तरह बैंकिंग और इंश्योरेंस.....

MR. SPEAKER: The call attention was on the reported fraud in the Bank of Baroda....(*Interruptions*)

श्री मधु लिमये : अध्यक्ष महोदय, अगर मेरे लिये अलग नियम हैं, तो मैं बैठ जाता हूं ।

अध्यक्ष महोदय : आप ने प्रश्न कर लिया है । अगर आप अब बैठ जायें, तो मैं क्या कर सकता हूं ?

श्री मधु लिमये : ये सब बातें मेरे लिये ही आती हैं । मुझे और कुछ नहीं कहना है । (**व्यवधान**)

MR. SPEAKER: I have to ask the hon. Member to be relevant. He has spoken much beyond the scope of the call attention. I am concerned only with the scope. We have fixed the time for the first Member. Others will not take more than five minutes.

श्री मधु लिमये : सब लोग उस से बाहर बोलते हैं और कभी घंटी नहीं बजती है । सन्दर्भ में न जायें, पृष्ठ भूमि में न जायें, पुनर्रचना की बात न करें, कोई उपाय न बतायें, तो ठीक है, मैं नहीं बोलता ।..... (**व्यवधान**) ..... आलराइट, मुझे नहीं बोलना है, आप जबर्दस्ती तो नहीं कर सकते ।

MR. SPEAKER. You have said more than enough. Now you say, "I have nothing to say."

श्री मधु लिमये : आप एक इन्क्वायरी कमेटी बैठाइये जो मालूम करे कि कालिंग अटेंशन में क्या क्या विषय आते रहे हैं, लोग क्या क्या बोलते हैं ? केवल मेरे लिए यह नियम लागू किया जाता है ।

MR. SPEAKER: After the time-limit was fixed in the meeting, it is strictly being followed.

डा० कैलास : (बम्बई दक्षिण) : अध्यक्ष महोदय, आप के ऊपर यह जो आरोप लगाया है कि आप दूसरे सदस्यों को रोकते नहीं हैं यह सत्य नहीं है। आप हमेशा जब भी इस प्रकार के प्रश्न या विचार दूसरे सदस्य रखते हैं तो उन को भी आप आगाह करते रहते हैं, उन्हें बताते रहते हैं। तो उन का यह कहना कि आप दूसरों को नहीं कहते, सिर्फ इनको कह रहे हैं, यह सत्य नहीं है। हमेशा आप दूसरे सदस्यों को भी टोकते रहे हैं। यह कह कर बैठ जाना यह गलत तरीका कि ऐसा आरोप आप पर लगा कर अपना भाषण बन्द कर देना। ऐसे तरीकों को आप को रोकना चाहिये।

MR. SPEAKER: The scope of this calling attention is limited. It is permissible to make a reference here and there to outside matters, but when he goes completely outside the scope, it is the duty of the Chair to point it out.

श्री मधु लिमये : मैं बता रहा था कि बैंकों का संचालन ठीक ढंग से क्यों नहीं हो रहा है, इसलिए मैं ये सुझाव दे रहा था कि बैंकिंग और इन्शोरेंस के बारे में अब जरूरत इस बात की है, 15 बैंक अब इस के तहत आ गए हैं, रिजर्व बैंक इस के तहत आता है, री फाइनेंस कारपोरेशन भी इस के तहत आता है, इंशोरेंस कम्पनियों का भी आप ने राष्ट्रीयकरण किया है, लोग टर्म फाइनशियल इंस्टीट्यूशंस इस में आते हैं, यदि मैं यह कह रहा था कि इस तरह के घोटाले न हों और सार्वजनिक जो फंड्स हैं उन का इस्तेमाल राष्ट्र के विकास के लिए हो और उस के लिए मंत्रालयों की पुनर्रचना करनी चाहिये, अगर इस बारे में मैं कुछ कह रहा था तो वह इरेलिवेंट कैसे हो जाता है ?

अध्यक्ष महोदय : देखिये अगर आप ने ही रेलीवेंसी जज करनी है तो मेरे बैठने का फायदा क्या है ? जब मेम्बर ही यह कहें कि मैं रेलीवेंट हूं तो मेरे बैठने का क्या फायदा है ?

SHRI YESHWANTRAO CHAVAN: The intention of the hon. Member is to find out some of the irregularities, frauds and malfunctioning of the banks and it wss necessary to ask such questions. I really welcome it. When I received the original notice from your office, it was rather vague information. I really wanted to know more specific things. Because of this vague information, I asked them to find out from the head office and they were told in Bombay city there was nothing like that.

श्री मधु लिमये : यही मैं ने कहा कि आप के रीजनल और जोनल दो दो आफिसेज हैं बम्बई में।

SHRI YESHWANTRAO CHAVAN: I am not trying to score a point. I am only saying how it happened. Then I thought possibly it may not have occurred in the head office as such and it might have occurred in certain branches in Bombay city. I asked them to find out from the Bombay branches as well. When I was pursuing this matter, it was found—it is true that regional offices keep changing; possibly at that time when this thing happened, the regional office was in Bombay. This particular matter was brought to my notice that there were more than 1,000 accounts —small accounts but their number was more than 1,000—and there are some irregularities in it. Not that all the amount is lost. A part of it has become bad debt. The person involved in it himself has admitted his share in it, as a result of which he was dismissed. So, the bank acted very quickly on it. When it came to their notice they immediately sent inspectors to audit the accounts and it was on the bank's initiative that it was done. Not that the banks were not alert.

[Shri Yeshwantrao Chavan]

The hon. member asked whether there is any other CBI inquiry going on about any other thing. I made enquires and the report I have got is, in this matter there was corrrespondence with the CBI. We have taken departmental action. We are taking civil action to recover the amounts concerned. Certainly it involves a criminal offence. Therefore, the Bank was in correspondence with the CBI about its taking over the case but it advised that it is much better that the matter should be taken with the local police for the investigation of the offence involved.

The other question is about the general working of the bank that a large number of frauds are coming out and exposed and what are we going to do about it. This question was raised in the Consultative Committee also. It is a general question which is naturally the concern of the entire Parliament and also of me. In banking of this size I cannot say that eberything is fool-proof. Certainly, we will have to take steps and we have to ask banks, particularly the Reserve Bank, to make some study about the systems snd procedures of the working of banks, particularly in the case of advances and loans. They are making some studies. But we are not keeping quiet until we receive the result of that study. We have given instructions to the banks to see that the normal rules are strictly followed. We have seen that normally the frauds take place because some of the elementary rules of banking are not observed, either by collusion or by negligence. For instance, no entry must be allowed to be checked only by one person, unless it is checked by the other person, and no movable property of the bank should be allowed to be dealt with by only one person. These are some of the basic precautions that have to be taken in the transaction of business by banks and wherever they are not followed it is found that the banks come to grief. Naturally, we will have to take note of this.

He said something about cheques. I do not know the facts of the case. I am prepared to take the information from him and find out the position.

He raised no specific suggestion whether we are prepared to make some actions offences as such. This requires examination. I cannot say off hand either "yes" or "no". This is certainly a suggestion which can be considered.

About the general question for—organisation, if he has any suggestion he can certainly communicate with the Prime Minister or write to me.

श्री मधु लिमये : अध्यक्ष महोदय, मैं आपसे पूछना चाहता हूं कि बैंकिंग कमीशन की यह पहली रपट है, इस पर बहस करने का मौका सदन को नहीं मिला है। इसलिए बार बार यह जनरल सवाल आते हैं। क्या आप इसी सत्र में इसके ऊपर बहस करने का मौका देंगे ?

अध्यक्ष महोदय : जब आप बोल रहे थे, जब आपने बहुत जनरल बातें उठाईं तो इसके स्कोप से बाहर थीं तो आपने जोश में सुना नहीं, मैंने कहा इन बातों के लिए या और बैंकिंग की बातों के लिए अलाहिदा बहस रखनी चाहिए।.....(*व्यवधान*).... अब बात यह है कि इस सेसन में काफी समय और बातों में लग गया। हमने जो अपना खाने का घंटा रखा था वह भी छिन गया, लंच टाइम भी नहीं है और शाम को भी ज्यादा बैठते हैं। 31 को खत्म होना था और दिन बढ़ाए गए हैं। आपसे मैं यही अर्ज करूंगा कि अब जो थोड़े बहुत दिन हैं उसमें ज्योतिर्मय बसु जरा मेहरबानी करें और दूसरे भी मेहरबानी करें, काम खत्म हो लेनें दें, बाद में एक दिन रख लेंगे, उसमें जो मर्जी हो, कर लेंगे।

श्री ज्योतिर्मय बसु (डायमंड हार्बर) : ज्योतिर्मय बसु तो हर वक्त आपके पास मौजुद हैं।

अध्यक्ष महोदय : ज्योतिर्मय बसु दो तरह के हैं, जो बाहर ज्योतिर्मय मिलतें

हैं वह और हैं और जो अन्दर बंद हैं वह और हैं ।

12.50 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION ETC. UNDER DELIMITATION ACT

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY): I beg to lay on tne Table—

(1) A copy of Notification No. S.O. 215(E) (Hindi and English versions), published in Gazette of India dated the 12th April, 1973 containing Order No. 1 of the Delimitation Commission in respect of the State of Nagaland, under sub-section (3) of section 10 of the Delimitation Act, 1972.

(2) A statement (Hindi and English versions) showing reasons for lelay in laying the above Notification. [*Placed in Library. See* No. LT-5472/73].

NOTIFICATIONS UNDER CUSTOMS ACT, CENTRAL EXCISES AND SALT ACT, CENTRAL EXCISE RULES, ETC.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): I beg to lay on the Table—

(1) A copy of Notification No. G.S.R. 387(E) (Hindi and English versions) published in Gazette of India dated the 8th August, 1973. under section 159 of the Customs Act, 1962, together with an explanatory memorandum. [*Placed in Library. See* No. LT-5473/73]

(2) A copy of the Central Excise (Seventh Amendment Rules, 1973 (Hindi and English versions) published in Notification No. G.S.R. 374(E), in Gazette of India dated the 1st August, 1973, under section 38 of the Central Excises and Salt Act, 1944. [*Placed in Library. See* No. LT-5474/73.]

(3) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944:—

(i) G.S.R. 375(E) published in Gazette of India dated the 1st August, 1973 together with an explanatory memorandum.

(ii) G.S.R. 386(E) published in Gazette of India dated the 8th August, 1973 together with an explanatory memorandum. [*Placed in Library. See No.* LT-5475/73.]

(4) (i) A copy of the Andhra Pradesh Excise (Compounding of Offences) Rules, 1973 (Hindi and English versions) published in Notification No. G.O.Ms. 94 in Andhra Pradesh Gazette dated the 5th April, 1973 under sub-section (4) of section 72 of the Andhra Pradesh Excise Act, 1968, read with clause (c) (iii) of the Proclamation dated the 18th January, 1973 issued by the President in relation to the State of Andhra Pradesh.

(ii) A statement showing reasons for delay in laying the above Notifications [*Placed in Library. See* No. LT-5476/73].

(5) A copy each of the following President's Acts (Hindi and English versions) under sub-section (3) of Section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1973:—

[Shri K. R. Ganesh]

(i) The Orissa Ssles Tax (Amendment) Act, 1973. (President's Act No. 6 of 1973) published in Gazette of India dated the 28th July, 1973.

(ii) The Orissa Entertainments Tax (Amendment) Act, 1973 (President's Act No. 7 of 1973) published in Gazette of India dated the 28th July, 1973.

(iii) The Orissa Motor Vehicles Taxation Laws (Amendment) Act, 1973 (President's Act No. 8 of 1973) published in Gazette of India dated the 28th July, 1973. [*Placed in Library. See* No. LT-5477/73.]

(6) A copy of the Manipur Taxation Laws (Amendment) Act, 1973 (Hindi and English versions) (President's Act No. 9 of 1973) published in Gazette of India dated the 9th August, 1973, under sub-section (3) of section 3 of the Manipur State Legislature (Delegation of Powers) Act, 1973. [*Placed in Library. See* No. LT-5478/73].

REVIEW AND ANNUAL REPORT ON THE WORKING OF EXPORT CREDIT AND GUARANTEE CORPORATION, LTD., BOMBAY FOR 1971

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): I beg to lay on the Table a copy each of the following papers (Hindi snd English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(1) Review by the Government on the working of the Export Credit and Guarantee Corporation Limited, Bombay, for the year 1971.

(2) Annual Report of the Export Credit and Guarantee Corporation Limited, Bombay, for the year 1971 alongwith the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT-5479[73].

12.51 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 22nd August, 1973, agreed without any amendment to the Agricultural Refinance Corporation (Amendment) Bill, 1973, which was passed by the Lok Sabha at its sitting held on the 13th August, 1973."

(ii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Coking and Non-Coking Coal Mines (Nationalisation) Amendment Bill, 1973, which has been passed by the Rajya Sabha at its sitting held on the 20th August, 1973."

(iii) "In accordance with the provisons of sub-rule (6) of rule 186 of the Rules of Procedure snd Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 3) Bill, 1973, which was passed by the Lok Sabha at its sitting held on the 17th August, 1973, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

COKING AND NON-COKING COAL MINES (NATIONALISATION) AMENDMENT BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Coking and Non-Coking Coal Mines (Nationalisation) Amendment Bill, 1973, as passed by Rajya Ssbha.

ASSENT TO BILL

SECRETARY: Sir, I lay on the Table the Uttar Pradesh State Legislature (Delegation of Powers) Bill, 1973 passed by the House of Parliament during the current session and assented to since a report was last made to the House on the 3rd August, 1973.

12.52 hrs.

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

ELEVENTH REPORT

SHRI S. C. SAMANTA (Tamluk): I beg to present the Eleventh Report of the Committee on Absence of Members from the Sittings of the House.

12.52-1/2 hrs

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH):

With your permission, Sir, I rise to announce that Government Business in this House during the week commencing Monday, the 27th August, 1973, will consist of:

(1) Consideration of any item of Government Business carried over from today's Order Paper.

(2) Discussion and voting of:

(i) Supplementary Demands for Grants (Orissa) for 1973-74.

(ii) Supplementary Demands for Grants (Manipur) for 1973-74.

(3) Consideration and passing of the Direct Taxes (Amendment) Bill, 1973.

(4) Further consideration and passing of the Code of Criminal Procedure Bill, 1972, as passed by Rajya Sabha.

(5) Further consideration and passing of the Indian Railways (Amendment) Bill, 1973.

(6) Consideration and passing of the following Bills, as passed by Rajya Sabha:—

(i) The Payment of Bonus (Amendment) Bill, 1973.

(ii) The Coking and Non-coking Coal Mines (Nationalisation) Amendment Bill, 1973.

(7) Discussion on the Motion regarding Approach to the Fifth Five-Year Plan on Friday, the 31st August, 1973.

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, firstly, I want to know from the Minister of Parliamentary Affairs whether Government have any intention to take up the Constitution (Thirty-Second) Amendment Bill, 1973 which was introduced on the 16th May, this year. As early as July 12, 1973, in the Bulletin of the Lok Sabha Secretariat, No. 1254 which listed the Government Business, this particular Bill was mentioned. We are now fast approaching the end of the current monsoon session. But no intimation has been given by the Government whether this important and controversial Bill is going to be taken up or not. It is

[Shri P. G. Mavalankar]

popularly known as Anti-Defections Bill. I want the Minister to tell the House categorically whether the Government intend to take up the Bill before the end of the current session.

Secondly, I would request the Minister of External Affairs to give the House an opportunity to know as to what exactly is the stand of the Government with regard to the Summit Conference of Non-Aligned countries that is taking place in Algiers early next month. The press reports, in the beginning, were that the Prime Minister will not attend it. But later reports in *Patriot* and *Statesman* say that she is going to attend it. The House is in session and we are not given any information. We have to depend only on press information. Surely, it is an important subject. India is one of the pioneers of non-aligned countries—she is the leader. I request the Government to make a statement.

Lastly, the U.G.C. Report for 1970-71 which was going to be discussed in the autumn session of last year has not been discussed in spite of the fact that you have admitted a Motion. The Minister also assured us last week. Meanwhile, yesterday, we got the Report for 1971-72. Let us now discuss the two Reports together before we get next year's Report!

SHRI S. M. BANERJEE (Kanpur): Sir, I would request the Minister of Parliamentary Affairs, through you, that two statements should be made next week. Firstly, the Government should make a statement on the doctors' strike. There is a doctors' strike in Delhi in sympathy with the striking doctors of Bombay. The strike has been escalated to Delhi. I am afraid, if the Centre does not intervene in the matter, the situation will worsen. In Bombay, about 1000 doctors have been thrown out of employment. They were mercilessly thrown out of their houses at the dead of night. Their belongings have been thrown out and they have been thrown out of employment. I do not think this is done by any civilised Government. We want a statement from the Minister of Health in this regard.

Then, yesterday, there was a merciless lathi-charge and tear-gas on the students of Shradhanand College. The Home Minister should make a statement. The boys were beaten by the D.T.C. bus conductors. 50 boys have been injured. I want a statement from the Government.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): I have given a Calling Attention Notice on this.

MR. SPEAKER: I think, I can ask the leaders of Opposition to select one Calling Attention Notice out of 50 Calling Attention Notices that I receive every day. I do not want to take the responsibility.

SHRI S. M. BANERJEE: I would ask the Government to administer the country properly so that there is no trouble. Every day, so many things are happening.

This has come in *Statesman* of today, about the Pay Commission's Report:

> "Decision on Pay Body's Report. Another meeting with the Government employees' representatives and the Committee of Ministers, which is examining the report, will be held on August 30 since the former have asked to be heard again before a decision is taken."

Then it is said:

> "Shortly after the August 30 meeting, the Cabinet will meet to take a decision which will be announced to Parliament before the Session adjourns."

I would request the hon. Minister of Finance to assure the House that, once Government takes decisions after meeting the employees' repre-

sentatives, that report should be properly discussed in the House before implementation. Because my fear is this. The Law Ministry has said that any modification done by the Government might not be accepted and it will attract the arbitration clause. The arbitration clause, in my opinion, should be amended if it comes in the way. We have amended the Constitution of India so many times; ultimately there will be nothing left except the long title. Similarly we can amend the rules also. I would request the hon. Minister to assure this House that it will not be submitted to this House as *fait accompli*- the decisions of the Government—because the minimum wage and certain other recommendations are not acceptable to the employees.

My last point is this. I have seen the Bonus Amendment Bill. It does not say anything about government employees. I would request the hon. Minister to accept a discussion on this most burning issue before us. Mr. A. P. Sharma has given notice. But he is not here.

SHRI SAMAR GUHA (Contai): I want to draw the attention of the Minister of Food and Agriculture through you—he is not here now—to add another item in the next week's business—about the food situation in West Bengal. I do not know what exactly is Government's policy of procurement. Recently the West Bengal Government allowed millers to have 50 per cent for free sale. That means, the Government is going to regularise hoard and blackmarketing of rice by millers. For that reason, it is necessary for us to know what exactly is the policy of the Government in regard to food procurement. We are crying hoarse that the food procurement policy has failed. Yet, they are allowing the millers to have 50 per cent for free sale. "In this connection, I would like to say that I drew your attention earlier also, but there was no reply, to the fact that thousands of people from Bihar, Orissa and Eastern U.P. are going to the Sealdah Station, to the Howrah Station; it is filled up. The streets of Calcutta are getting filled up. Such situation is very serious." The President of West Bengal Congress Committee has threatened that they will start Campaign to divert the land from jute production to paddy production. You know, Sir, after partition, 11 per cent of the land of West Bengal was diverted from paddy to jute production.. (*Interruption*). They have threatened that they will launch a propaganda so that the land under jute production is diverted to paddy production—because they are not getting the requisite quota of rice from the Centre. I would request the Minister to make a statement on the food situation in West Bengal.

SHRI K. S. CHAVDA (Patan): The Lokpal and Lokayukta Bill was introduced in the House in 1971 and it is pending since then. I would like to know whether Government is going to bring forward this Bill in this Session.

13.00 hrs

Secondly, the Criminal Procedure Code Amendment Bill which was under discussion in the last session was postponed for discussion in this session. What is the position regarding that?....

SOME HON. MEMBERS: That is coming up.

SHRI K. S. CHAVDA: The third point is whether the Government is going to find time for a discussion on the India-Pakistan talks.

MR. SPEAKER: I am just allowing you on the points you have mentioned. It just started with Mr. Mavalankar and it has spread to others. So, please confine yourself to the points you have written to me.

SHRI K. S. CHAVDA: About the India-Pakistan talks....

MR. SPEAKER: Let them come to some settlement and then you can ask.

[Mr. Speaker]

Mr. Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I had written to you, inviting the Government to make a statement with regard to the Coramandal Fertilisers where workers numbering 2000 have struck work as a result of which one thousand tonnes of fertilisers a day are not being produced. At this time of grave crisis, can we afford that? May I request the Government to make a statement on that? The second thing is, the involvement of high officials of administration in sex scandals expose the State machinery to adverse publicity. The national press has carried a news that in the diary of Mrs. Rajeswari wife of Mr. Nagmani...

MR. SPEAKER: No, no.

SHRI B. P. MAURYA (Hapur): On a point of order, Sir. It should not be allowed, Sir. Otherwise, I should be heard. This is highly objectionable.

SHRI JYOTIRMOY BOSU: ...a Cabinet Minister's name and a former Governor's name was mentioned (*Interruptions*).

MR. SPEAKER: Mr. Bosu, there is a limit... (*Interruptions*) Please pass on to the next item.

SHRI JYOTIRMOY BOSU: My third item is that the Maruti issue has taken a new dimension. All the Opposition Leaders have written to you that Air Marshal O. P. Mehra is now... (*Interruptions*).

The Chief of Air Staff says that the land is under the defence prohibitory order. Why is it not included in the list of business?... (*Interruptions*).

MR. SPEAKER: You also keep on adding to the dimension.

SHRI JYOTIRMOY BOSU: A letter has gone to you signed by all the Opposition Leaders that the whole issue has assumed a new dimension..

SHRI INDRAJIT GUPTA (Alipore): Not all the Opposition Leaders.

SHRI JYOTIRMOY BOSU: I am sorry. I stand corrected—most of the opposition Leaders excepting Mr. Indrajit Gupta...

MR. SPEAKER: When you go to them, they oblige you. That is all.

SHRI JYOTIRMOY BOSU: They have all written that on the Maruti issue the motion of mine should be admitted and this matter should be discussed...

MR. SPEAKER: Please sit down.

SHRI JYOTIRMOY BOSU: No, Sir How can it be? I have documents to prove that the Chief of Air Staff has said that the defence prohibitory order is valid on the land Then, it means that whatever the Government said in another circumstance was utterly wrong. So, this matter should be discussed... (*Interruptions*) I want to make a submission to you that this should be discussed on the floor of the House.

SHRI G. VISWANATHAN (Wandiwash): Mr. Speaker, Sir...

MR. SPEAKER: I did not receive any intimation. I will go strictly by the slips I have received.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, मैंने 377 के अन्तर्गत लिखकर दिया है....

अध्यक्ष महोदय : अब 377 कहां है, यह तो कुछ और चल रहा है। 377 में जिसे देना था उसे दे दिया है।

श्री अटल बिहारी वाजपेयी : श्रद्धानन्द कालेज में पुलिस ने....

MR. SPEAKER: These are the only intimations. They have expressly mentioned...

SHRI ATAL BIHARI VAJPAYEE: Then you allow me under Rule 377.

अध्यक्ष महोदय : कभी कर देंगे, अभी नहीं ।

SHRI G. VISWANATHAN: I would like to bring to your notice that an allegation was made in the Bihar legislature and the Chair ruled that the Central Ministers cannot be discussed in the Assembly. A serious allegation has been made against a particular Minister. It is for the Minister to come out with a statement.

MR. SPEAKER: He has announced the business for the next week and you are converting it into a debate. I am just listening to you. There is no question of ruling of the Chair that has arisen.

SHRI G. VISWANATHAN: I wanted to bring to your notice the ruling of the Chair in Bihar. . .

MR. SPEAKER: You can suggest that such a statement or such a Bill is pending and it should be taken up.

SHRI SEZHIYAN (Kumbakonam): It is in regard to the statement that he has mentioned.

MR. SPEAKER: When you make certain statements about persons in position, there should be some prior intimation. Otherwise, it is difficult.

SHRI K. RAGHU RAMAIAH: Regarding the Non-aligned Summit Conference and the Finance Minister's second round of talks with Government employees, my senior colleagues have something to say.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): May I inform the House that the Prime Minister has decided that she will attend the Summit Conference of the Non-aligned countries. The House is no doubt aware that this conference starts on the 2nd of September. On the 2nd, 3rd and 4th, there will be the meeting at the Foreign Ministers' level and I shall have to leave early. I shall have to be there on the 1st of September. The summit level meeting starts on the 5th. The meetings are to be held on 5th, 6th, 7th and 8th. The Prime Minister will have to reach there on the 4th, to be in time to participate in the meeting starting on the 5th. I need hardly add that even before the meeting there are several important informal consultations and it is very necessary, in view of the part that we have played in the non-aligned movement, and in view of the large number of leaders from Asia, Africa and the Carribean areas who will participate, that she should attend.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): When we met for the first time, the representatives of the staff expressed a desire that the Minister should meet them again and we have told them that a second meeting is not ruled out. We propose to meet the representatives on the 30th of this month.

SHRI S. M. BANERJEE: I welcome the statement that the employees are meeting the Minister on the 30th. After 30th there will be only a few days of this session. It has been said that they will announce the decision before the Lok Sabha adjourns. What I want to submit is this. Let not the Government decision be placed in the House and announced here as a fait accompli. We should be allowed an opportunity to discuss the report before it is finally accepted.

MR. SPEAKER: There are a few more days after that.

SHRI K. RAGHU RAMAIAH: Mr. Mavalankar mentioned about University Grants Commission. That is exactly what I said earlier. "It has been admitted. It is a question of finding the time." That is still the position.

MR. SPEAKER: I propose that we should continue sitting at night also, so that you may know the value of time.

SHRI K. RAGHU RAMAIAH: Regarding other matters mentioned by the hon. Members, in so far as they relate to the Central Government, they will be duly conveyed.

अध्यक्ष महोदय : आप रात को बैठेंगे तो सुबह ड्राउजी फील करेंगे । आपको रात में जरूर बैठना चाहिए । श्री मधु लिमये ।

श्री मधु लिमये (बांका) : मैं बार-बार अकाल और बाढ़ के बारे में कहता रहा हूं, इस बार मैंने लिखकर नहीं दिया है । आप हमेशा कहते हैं मान लिया गया है लेकिन समय नहीं मिलता है । कई दफा आपने आश्वासन दिया है ।

अध्यक्ष महोदय : आपको कभी तसल्ली भी होती है या नहीं ? सारे दिन लगे रहते हैं और अभी बाढ़ रह गई ।

13.10 hrs.

STATEMENT BY MEMBER RE. STEPS TO REDUCE THE PRICES OF COTTON FABRICS AND PROFITS OF TEXTILE MILLS

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, 27 जुलाई, 1973 को मैंने व्यापार मंत्री से एक प्रश्न द्वारा यह जानना चाहा कि क्या सरकार को इस बात की इत्तिला है कि 1972-73 में सूती मिलों ने अनापशनाप मुनाफा कमाया है । मैंने यह भी पूछा था कि सरकार मिल कपड़ के दामों को घटाने के लिए कौन सा कदम उठाने जा रही है । मंत्री महोदय ने मेरे प्रश्न के तीसरे हिस्से का यह जवाब दिया था कि सरकार को मिलों के मुनाफे के बारे में कोई जानकारी नहीं है । यह उत्तर न केवल गलत था बल्कि मिल वालों की मुनाफाखोरी पर और सरकार की पूंजीपरस्त नीति पर चादर बिछाने का यह एक जानबूझ कर किया हुआ प्रयास था । मंत्री महोदय का जो स्पष्टीकरण आपने मुझे दिया है उसमें कहा गया है :

> "यह निस्संदेह है कि संसद सदस्य श्री मधु लिमये ने अपने 25 जून, 1973 के पत्र में मिलों के मुनाफे के बारे में व्यापार मंत्री के पास कुछ आंकड़े भेजे थे । लेकिन श्री मधु लिमये के आंकड़ों की सत्यता और उसके आधार के बारे में मंत्रालय को कोई इत्तिला नहीं मिल सकी । सरकार के पास इसके बारे में कोई सिलसिलेवार जानकारी नहीं थी । इस स्थिति में हम श्री मधु लिमये के आंकड़ों को स्वीकारने के लिए तैयार नहीं थे । जब सरकार को दूसरी जानकारी नहीं रहती तो साधारणतः सरकार आधिकारिक सूत्रों पर निर्भर रहती है ।"

यह खुलासा बहुत हास्यास्पद है । क्या सरकार का यह कर्त्तव्य नहीं है कि दाम, मुनाफे आदि के बारे में वित्तीय पत्रिकाओं में जो खबरें आती हैं उनको वह पढ़े और उसकी गहराई में जा कर उसका अध्ययन करे ? "कामरी" यह एक ख्यातिप्राप्त वित्तीय साप्ताहिक है । इसमें कम्पनियों के बारे में हर सप्ताह समाचार छपते हैं । अप्रैल 1973 से लेकर 27 जुलाई तक यानी मेरे प्रश्न के उत्तर के दिन तक इस पत्रिका ने दर्जनों मिलों के बारे में सही जानकारी प्रस्तुत की है । इस पत्रिका में कम्पनियों के बारे में जो समाचार छपे हैं उनकी सत्यता हाईकोर्ट और सुप्रीम कोर्ट भी स्वीकार करते हैं । इन समाचारों को पढ़ने से इसके बारे में कोई सन्देह नहीं रहता कि

1972–73 में मिल मालिकों ने बहुत ज्यादा मुनाफा कमाया। सरकार और मिल मालिकों के बीच में जो गठबन्धन था, उसके चलते काश्तकार, छोटा बुनकर और साधारण उपभोक्ता इन तीनों के हितों की होली की गई है। मैं अभी सेंचुरी, विक्टोरिया तथा नूतन के रिपोर्टस तथा कुछ मिलों के आंकड़े प्रस्तुत कर रहा हूं :

पोद्दार मिल्स	52 प्रतिशत अधिक मुनाफा
गायकवाड़ .	92 प्रतिशत अधिक मुनाफा
लक्ष्मी विष्णु	100 प्रतिशत अधिक मुनाफा
विक्टोरिया	209 प्रतिशत अधिक मुनाफा
नवसारी	245 प्रतिशत अधिक मुनाफा
एल्गिन	254 प्रतिशत अधिक मुनाफा
बोरिया	750 प्रतिशत अधिक मुनाफा
विक्रम	1500 प्रतिशत अधिक मुनाफा

वित्त मंत्री जी ने राज्य सभा में कहा था कि मैं व्यापार मंत्री से पूछ रहा हूं कि आप इसके बारे में क्या कर रहे हैं। ये आंकड़े वह भी देखें।

इस मामले में मेरे पास जो जानकारी थी वह स्वयं मैंने मंत्री जी को भेजी थी। मिल के मुनाफों के आंकड़ों के बारे में न वित्तीय पत्रिकाएं और न मेरे जैसे सदस्य कोई फर्जी आंकड़ों को तैयार करते हैं। ये आंकड़े वित्तीय पत्रिकाएं मिलों और कम्पनियों के जो वार्षिक रिपोर्टस होती हैं उन्हीं से एकत्रित करती हैं। ये वार्षिक रिपोर्टें कम्पनी रजिस्ट्रार के पास दायर की जाती हैं। अगर व्यापार मंत्री मेरे आंकड़ों की सत्यता को कबूल करने के लिए तैयार नहीं थे, तो उन्हें व्यापार मंत्रालय के तहत काम करने वाले टैक्सटाइल कमिश्नर के कार्यालय से जानकारी हासिल करनी चाहिये थी। टैक्सटाइल कमिश्नर के दफ्तर का यह फर्ज है कि सूती उद्योग में जो परिवर्तन होते रहते हैं उनकी सही जानकारी रखें। लेकिन टैक्सटाइल कमिश्नर का कार्यालय मिल मालिकों से मिला हुआ था और सत्य को छिपाने का काम कर रहा था। अगर मंत्री महोदय चाहते तो कम्पनियों के रजिस्ट्रार से भी तथ्यों को प्राप्त कर सकते थे, मगर यह भी उन्होंने नहीं किया।

अध्यक्ष महोदय, किस संदर्भ में इस सवाल को उठाया गया था, यह विचारणीय है (**इंटरप्शंज**) अध्यक्ष महोदय, आपने जो पास किया है, जिसको आपने मंजूर किया है, उसी को पढ़ कर मैं सुना रहा हूं। एक शब्द भी नहीं जोड़ रहा हूं। सूत और सूती कपड़े के दामों में जो भयंकर वृद्धि हुई थी, उसको लेकर सरकार की आलोचना हो रही थी। यह भी बताया गया था कि जनवरी 1971 और अप्रैल 1973 के बीच में विभिन्न जाति की रुई की कीमतें 28 फीसदी से लेकर 50 फीसदी तक घट गई थीं। रुई के दामों के बारे में मंत्री महोदय आंकड़ों के खेल खेल रहे थे। उन्होंने मिलों के मुनाफे के बारे में जो नकारात्मक उत्तर दिया वह न केवल गलत बयानी थी बल्कि वे अपनी पूंजीपरस्त नीति के भंडाफोड़ से अपने को बचाना चाहते थे। वे नहीं चाहते थे कि मिल मालिकों की मुनाफाखोरी की जानकारी सारे देश में फैले।

इसलिए मेरी आपसे प्रार्थना है कि आप व्यापार मंत्री को फटकारें उन्हें रेप्रिमांड करें। मेरी आपसे यह भी गुजारिश है कि आप सभी मंत्रियों को चेतावनी दें कि वे गलत बयानी न करें और टालमटोल की नीति न अपनाएं। प्रश्न पूछे जाते हैं सार्वजनिक समस्याओं के बारे में जानकारी प्राप्त करने के लिए। इसलिए मंत्रियों का यह काम है कि तारांकित और अतारांकित सभी प्रश्नों का वे सम्पूर्ण और सही जवाब दें।

अध्यक्ष महोदय : रेप्रीमांड का हिन्दी अनुवाद बड़ा मुश्किल है मेरे से.....

श्री मधु लिमये : फटकारना और क्या ? यह बिल्कुल करना चाहिये । प्रेसीडेंट चाहते हैं तो मैं पिछले 23 साल के निकाल कर दे सकता हूं .....

अध्यक्ष महोदय : रेप्रोमांड का जो किया है वह मेरे खयाल में ठीक नहीं, उचित नहीं है ।

श्री मधु लिमये : सही अनुवाद है । एक शब्द भी नहीं जोड़ा गया है ।

अध्यक्ष महोदय : डिक्शनरी देखनी पड़ेगी ।

श्री मधु लिमये : मुश्किल यही है कि आपकी सुविधा के लिए मैंने लिखकर अंग्रेजी में दिया ।

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): Mr. Speaker, Sir, Shri Madhu Limaya's Question (Unstarred No. 900) related to prices of cotton and cloth and to profits made by textile mills. Information that was available with Government was furnished in reply and there has been no attempt to mislead the House.

Reference was made in the question to "fantastic profits made by the textile mills ranging between 50 to 1500 per cent". From the letters of the Honourable Member dated 12th June 1973 and 25th June 1973 it was clear that this was being stated on the basis of figures cited by him for 11 mills. Reference has now been made by the Honourable Member in the statements, to the effect that figures have been given in certain financial journals to this effect. It will be appreciated that whatever figures might have been given in these journals, these would have to be duly processed and checked by Government before any statement could be made on the floor of the House, Moreover, figures given in respect of 11 mills could not be taken as representative of the industry as a whole. In this context the answer given cannot be said to be either incorrect or misleading.

We have always tried to furnish true and correct information in regard to all aspects of the textile industry, including questions of prices, of cotton cloth etc. The contentions of the Honourable Member are under these circumstances untenable and unfair.

श्री मधु लिमये : उनका जवाब था :

"Government has received no information"

क्या यह सही जवाब था ? आप तो कुछ बोलते ही नहीं हैं ।

MR. SPEAKER: There can be no debate on it now.

SHRI G. VISWANATHAN (Wandiwash): He is not ready to be reprimanded.

अध्यक्ष महोदय : मैं किसी को नहीं करना चाहता । सुन लेता हूं

श्री मधु लिमये : 115 का मतलब यही है कि गलती को पकड़ा जाए । आपको उसके बारे में फैसला लेना चाहिये ।

अध्यक्ष महोदय : मुझे पहले आपको पकड़ना पड़ेगा ।

श्री मधु लिमये : आप तो जब हमारी गलती नहीं भी होती है तब भी पकड़ते हैं ।

अध्यक्ष महोदय : आपने जो हिन्दी तर्जुमा किया है, उसका इस्तेमाल मैं नहीं करना चाहता हूं ।

13.18 hrs

RE. INCIDENTS AT SHRADDHANAND COLLEGE, DELHI

श्री अटल बिहारी वाजपेयी (ग्वालियर) : हमने 377 में आपसे इजाजत मांगी थी कि दिल्ली के कालेज का मामला उठाने दिया जाय । बिना प्रिंसिपल की इजाजत के पुलिस श्रद्धानन्द कालेज में चली गई; कालेज के भीतर टीयर गैस चलाई गई, दो घंटे तक

ट्रैफिक बन्द रहा। यह चीज सारी दिल्ली में फल जाएगी तब सदन उसका नोटिस लेगा ? दिल्ली में कोई असेम्बली नहीं है। बसों में विद्यार्थियों के साथ दुर्व्यवहार होता है। परसों एक घटना हुई। डी टी सी के एक कंडक्टर ने एक विद्यार्थी को तमाचा मारा। उसके खिलाफ कोई कार्यवाही नहीं की गई। प्रिंसिपल ने डी टी सी की अथोरिटीज से सम्पर्क स्थापित किया। वे मौके पर नहीं आए। विद्यार्थियों में असन्तोष फैला हुआ है। दिल्ली में विद्यार्थी इस समय बिगड़े हुए हैं। यह मामला काबू से बाहर जा सकता है। आप मंत्री महोदय को कहें कि इस पर वह ध्यान दें। हमारा कालिंग स्टेशन आप एडमिट करें।

MR. SPEAKER: I shall ask the hon. Minister to make a statement on it.

श्री मधु लिमये (बांका) : मैंने भी नोटिस दिया था।

अध्यक्ष महोदय : अभी क्या किया है ?

श्री मधु लिमये : टीयर गैस छोड़ी गई; लाठी चार्ज हुआ छात्रों पर.....

SHRI JYOTIRMOY BOSU (Diamond Harbour): Have you seen the full-size photo which has come out in the papers? It is quite pathetic. Kindly admit a call-attention on this for Monday.

13.20 hrs.

TAXATION LAWS (AMENDMENT) BILL

Extension of time for presentation of Report of Select Committee

SHRI P. G. MAVALANKAR (Ahmedabad): I move:

"That this House do extend upto the last day of the first week of the next Budget Session (1974), the time for the presentation of the Report of the Select Committee on the Bill further to amend the Income-tax Act, 1961, the Wealth-tax Act 1957, the Gift-tax Act, 1958 and the Companies (Profits) Surtax Act 1964".

MR. SPEAKER: I have received a note from them. It is already circulated. I am very happy that they have done this. After all, we have set up a precedent here giving the reasons. Are you going to all these places:—Calcutta, Nagpur, Bombay and Ahmedabad?

SHRI P. G. MAVALANKAR: Yes, Sir.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I am told it is all cancelled.

MR. SPEAKER: I do not mind their going. I am very happy that you have submitted an explanation. It is a very healthy practice. I hope other Committees will also follow this in future.

The reasons given by them are quite strong. They have received many representations which they could not deal with within the time permitted. They are therefore asking for extension of time.

SHRI JYOTIRMOY BOSU: My submission is that they have dropped visiting these places That is what the Chairman told me yesterday. They will be doing all their business in Delhi.

MR. SPEAKER: It is for him, not for you.

SHRI JYOTIRMOY BOSU: I am a member of the Committee.

MR. SPEAKER: He has moved it. You had better confine yourself to your Committee.

SHRI JYOTIRMOY BOSU: I was told by the Chairman yesterday that they are not going out. So that reason does not remain valid.

MR. SPEAKER: Is it correct?

SHRI P. G. MAVALANKAR: I have no information on that. But apart from that, we have received over 100 memoranda and we will take time to go into all of them. Whether it is in Delhi or out of it we require some more time.

MR. SPEAKER: The question is:

"That this House do extend upto the last day of the first week of the next Budget Session (1974), the time for the presentation of the Report of the Select Committee on the Bill further to amend the Income-tax Act, 1961, the Wealth-tax Act 1957, the Gift-tax Act, 1958 and the Companies (Profits) Surtax Act 1964".

The motion was adopted.

12.23 hrs.

SUPPLEMENTARY DEMANDS FOR GRANTS (ORISSA), 1973-74

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): I present a statement showing Supplementary Demands for Grants in respect of the Budget for the the State of Orissa for 1973-74.

SUPPLEMENTARY DEMANDS FOR GRANTS (MANIPUR), 1973-74

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): I present a statement showing Supplementary Demands for Grants in respect of the Budget for the the State of Manipur for 1973-74.

12.24 hrs.

FOREIGN EXCHANGE REGULATION BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I move:*

"That the Bill to consolidate and amend the law regulating certain payments, dealings in foreign exchange and securities, transactions indirectly affecting foreign exchange and the import and export of currency and bullion, for the conservation of the foreign exchange resources of the country and the proper utilisation thereof in the interests of the economic development of the country, as reported by the Joint Committee, be taken into consideration".

As hon. members are aware the Foreign Exchange Regulation Act which regulates the receipt and outgo of foreign exchange, securities and the import and export of currency and bullion was enacted in 1947. The measure was then adopted as it was felt expedient in the economic and financial interest of India to provide for the regulation of these activities. Mainly the existing Act provides, *inter alia*, for restrictions on dealing in foreign exchange, on import and export of certain currency and bullion, regulation of payment for goods exported etc. The Act also povides for the various authorities who are to enforce its provisions and for penalties both by way of adjudication and on prosecution before a court of law.

*Moved with the recommendation of the President.

Experience gained in the working of the Act for a quarter of a century has shown that while, by and large, it has served the objective for which it was enacted, there are certain inadequacies and lacunae which should be cure. These may broadly classified in the following categories:

(a) Entry of foreign capital in the form of branches and activities of resident foreigners and concerns with substantial non-resident interest in them;

(b) Due and prompt realisation of export proceeds and eliminating possibility of larger outgo of foreign exchange against imports than required; and

(c) Enforcement of the Act.

On the basis of a recommendation made by the Public Accounts Committee in its 56th Report of 1963 69, a study team had been appointed by the Government to examine the question of leakage of foreign exchange through invoice manipulation.

This team had made a comprehensive study of the problem and made several recommendations to the Government. In its 47th Report on the Control & Punishment of Social and Economic Offences the Law Commission has made various recommendations for the effective implementation of the material provisions of certain enactments, including this Act. The Law Cmmission has expressed the view that in the case of social and economic offences under this and certain other major Act, a special approach is called for, particularly when the country is in the grip of an economic crisis and the fruits of hard-won freedom may be lost if the foundation is not laid for economic stability. The Commission has also emphasised that the nature of these offences is peculiar in so far as they are planned and executed in secrecy by shrewd and dexterious persons with sophisticated means. In the case of these offences public welfare is gravely affected but detection is unusually difficult.

With a view to correcting the inadequacies and lacunae referred to above, and incorporating those recommendations of the Study Team and the Law Commission which had been accepted by the Government, I had introduced a Bill in this House on the 29th of August last year. With the concurrence of the Rajya Sabha the Bill was referred to a Joint Committee of the Houses. At its sittings at Delhi, Calcutta and Bombay the Committee heard the evidence of persons from various walks of life. In the light of the evidence tendered before it, and the subsequent discussions, the Joint Committee made several useful recommendations which are also reflected in the Bill as presented by the Committee to this House. I do not propose to take up the time of this House by discussing the various provisions of the Bill at length but would only refer briefly to the more important clauses.

The entry of foreign capital into India, where it takes the form of acquisition of share of companies, is already regulated by the present Act but foreign investment in the form of opening of branches in India by companies firms, individuals and associations of persons, resident abroad, has remained outside the purview of control. There has also been an increasing awareness during the last several years of the wide gulf between our selective policy towards new foreign investment and the ease with which the existing foreign enterprises priamrily engaged in non-manufacturing activities have been able to carry on in fields and on terms that might not be approved today. Section 18A of the Foreign Exchange Regulation Act was introduced with effect from 1st April 1965, and has already brought within the purview of con-

[Shri Yeshwantrao Chavan]

tion acceptance by foreign controlled concerns, of appointment as agents in trading and commercial fields or as technical or management advisers. Even in this limited sphere, the provision is ineffective in dealing with apponitments which existed before 1st April, 1965 as well as agency agreements which were made to appear like principal-to-principal transactions. The resident foreigners had also remained outside the purview of that Section. Clause 28 of the Bill as presently drafted cures these lacunae. Clause 29 of the Bill provides that Reserve Bank's permission should be obtained for the carrying on in India of any activity of a trading, commercial or industrial nature or the establishment of a branch office or other place of business for carrying on such activities or for the acquisition of the whole or any part of any undertaking in India by a non-resident, foreigner (even if he is resident in India),; non-resident company and a company in which the non-resident interest is more than 40 per cent. Sub-clauses (2) and (4) of the clause ensure that in the case of categories of persons referred to in sub-clause (1) even the continuation of existing trading commercial or industrial activities carried on or set up by them in India or existing share holdings in India in companies carrying on such activities in India would require the permission of the Reserve Bank.

During the deliberations of the Joint Committee, it was felt that while cases of foreign investment in India which are presently functioning without any prior permission or in non-priority sectors will have to be reviewed on a case-by-case basis, it would not be necessary or desirable to review cases of recent approvals, especially in high priority sectors, involving highly sophisticated technology or export-oriented industries. An amendment was, therefore; accepted by the Joint Committee; empowering the Reserve Bank to exempt certain companies and persons from th provisions of this clause, based on the nature of the activities carired on by them and the fact that such activity was being caried on with prior permission of the Government. It has, however, been made clear that the Reserve Bank cannot exercise this power of exemption where the activity is solely of a trading nature.

As a matter of general policy it has been felt that we should not allow foreign investment in landed property/buildings constructed by foreigners and foreign controlled companies as such investments offer scope for considerable amount of capital appreciation and consequently will increase our contingent liability by way of capital repatriation. While we may still require foreign investments in certain sophisticated branches of industry, there is no reason why we should allow foreigners and foreign companies to enter real estate business. Clause 31 of the Bill has been introduced with this purpose in view.

There was considerable discussion both in the Joint Committee and elsewhere about the policy in relation to the administration of clauses 28 and 29 of the Bill. Government is considering the details of administartive guidelines to be issued. I thought I should, however, briefly indicate to the House the broad policy consideration which would be taken into consideration while formulating the detailed guidelines. Needless to say the policy presently followed by Government in regard to the admission of foreign investment is highly selective and such new investment is not permitted in the fields of banking, commerce, finance; plantation and trading. As far as branches of foreign companies presently engaged in purely trading activities are concerned, they would have to convert into Indian companies. In the case

of companies engaged in manufacturing operations also, the policy would be to ensure that foreign capital participation except in case of these engaged in priority sectors of export-oriented industries is reduced to 40 per cent over a period of time and also by following in apropriate cases the formula of dilution of foreign equity when they come for expansion.

There have been repeated complaints and allegations of malpractices by importers/exporters with the aim of secreting foreign exchange abroad and building reserves in foreign currency. There has also been a general feeling that our importers/exporters often evade foreign exchange regulations. The major suspicion is that in the case of exports, the goods are under-invoiced and that in the case of imports, they are over-invoiced. The problem arising out of invoice manipulations was, as already mentioned by me earlier, examined by a Study Team and based on their recommendations, several new provisions have been introduced. Thus, for example, in a case where a person makes a remittance for importing any goods into India but does not import the goods or does not import goods of a value representing the freign exchange remitted for such goods within a reasonable time, or imports goods of a kind, quality or quantity different from that specified by him he will be deemed, unless the contrary is proved, to have used the foreign exchange released to him for the purpose other than that for which it was released.

As far as exports are concerned, there are two main aspects:

(1) realisation of full export proceeds; and

(2) prompt realisation of such exports.

Section 12 of the Foreign Exchange Regulation Act which dealt with this aspect till now will be replaced by clause 18 of the Bill with a view to achieving the twin objectives referred to above. This clause has been explained at considerable length in the notes on Clauses appended to the Bill and I would, therefore, refer only to certain salient features.

This clause provides for powers enabling the Central Government to issue directives to the exporters not to sell goods exported on a consignment basis without obtaining prior permission of the Reserve Bank at a price which is lower than the value declared in the prescribed form in respect of the commodities etc. notified in this behalf by the Central Government. In this clause as originally drafted, there was a provision that where an exporter makes an application to the Reserve Bank for permission to sell the goods exported at a price which is lower than the value declared at the time of export, he can presume the Reserve Bank's permission where the Bank fails to communicate its refusal within a period of 60 days from the date of receipt of the application. It was felt by several members of the Joint Committee that the period of 60 days is too long and would adversely affect our exports. It was, therefore, decided to reduce this period from 60 days to 20 days. I would also like to take this opportunity to assure this House that the Reserve Bank will deal with all such applications with utmost expedition and that it would only be a rare case in which even the maximum period of 20 days allowed will be availed of. I cannot however accept the suggestion made by certain Members of the Joint Committtee that it would be enough to provide that there should be a provision that the Reserve Bank should accord sanction to such short realisation on being satisfied that sufficient grounds existed. Such a provision goes against the very grain of this clause and will render it totally ineffective.

Further, the clause confers powers on the Reserve Bank to issue direc-

[Shri Yeshwantrao Chavan]

tives to exporters on matters such as those relating to advance registration of contracts, certification of the value of the goods to be exported by a specified authority or organisation, submission of the prescribed declaration to the Reserve Bank for its prior approval, and for securing payments for exports by irrevocable Letters of Credit. These powers will be exercised by the Reserve Bank in appropriate cases to ensure that the full export value of the goods or the value which the exporter has declared is received without delay. It also empowers the Central Government to prohibit the export on consignment basis, of any goods or class of goods; or by class of exporters; or to any particular destination, if the Government is of the opinion that the full export value will not be brought to India in the prescribed manner and within the prescribed period. There is also a provision for drawing a rebuttable presumption regarding contravention of the provisions of the Act in cases of delay in repatriation of sale proceeds.

The Enforcement authorities had felt the need for more stringent punishment to act as a sufficient deterrent against violations of foreign exchange regulations. The Law Commission, as already indicated by me, had made various recommendations for the effective implementation of the material provisions of certain enactments, including this Act. Keeping in view the recommendations of the Law Commission, as well as the suggestions of the Enforcement Directorate, several measures have been introduced in the Bill.

(i) In Clause 50, which provided for ajudication for contravention of the provisions of the Act, it has now been provided that a penalty of Rs. 5,000 or an amount not exceeding five times the value involved in the contravention, which ever is more, can be levied instead of Rs. 5,000 or three times the value of the contravention as could be levied under the existing Act.

(ii) In cases of prosecution, the maximum sentence that can be awarded under the present Act is imprisonment upto a period of two years or fine or both. Clause 56 of the Bill provides for enhancement of punishment to a period of three years or fine or both. In addition, it provides that for certain more serious offences where foreign exchange involved is rupees one lakh or more or in the case of second or subsequent conviction for an offence under the Act, imprisonment may be for a period which may extend to seven years. The clause also provides that the minimum sentence in such cases should be for a period of six months and provides further that a lesser sentence can be awarded by the Court only for special and adequate reasons to be recorded in the judgment. In the case of second and subsequent conviction, the clause empowers the Court convicting the person to direct that he shall not carry on for a period not exceeding three years such business as is likely to facilitate the Commission of the offence.

(iii) Claust 59 has been introduced with a view to raise a presumption of *mens rea* on the part of persons prosecuted for offences requiring a culpable mental state. The presumption, however, is rebuttable. The clause would shift the burden of proof as to *mens rea* but would at the same time provide an opportunity to the accused to prove the absence of such *mens rea*.

(iv) Clause 64 of the Bill further makes even preparation to contravene the provisions of the law and abetment of any such contravention an offence with a view to ensure prevention well before the commission of the offence.

(v) Clause 69 of the Bill empowers the Court to publish the name, place of business, etc. of compaines canvict-

ed for offences under the Act. The object of providing for such publicity is that the social stigma attached to it will act as a deterrent.

The need for definition of the term "person resident in India" and "person resident outside India" was also felt as the applicability of several provisions of the Bill depends upon the "resident" status of the person concerned. This has assumed even greater importance because of several stringent provisions which are now being introduced. An attempt has, therefore, been made to define these expressions in sub-clauses (p) and (q) clause 2 of the Bill.

With a view to avoid vexatious searches by officers of Enforcement, Clause 58 provides for the punishment of officers responsible for such vexatious searches.

Although the existing Act regulates the acquisition, holding and disposal of foreign currency and securities by residents, there is no provision for the regulation of such acquisition, holding and disposal of immovable property held abroad by them. This lacuna has come to the notice of the Government especially in the case of certain former rulers. Clause 25 of the Bill has been introduced with a view to cure this defect. The intention, at present, is only to get information regarding the immovable property held abroad with a view to ensuring repatriation of current income therefrom.

With the increasing trend of Indian companies setting up enterprises abroad in collaboration with the Business Houses in those countries, the need for exercising a certain amount of control over the formation and operation of such ventures, especially with a view to obtaining full information regarding their working and ensuring repatriation of dividends of the Indian participants has been felt for some time. Clause 26 of the Bill seeks to achieve this.

Apart from these major changes, several other amendments of miscellaneous or clarificatory nature have also been introduced in the Bill taking advantage of the opportunity to amend and consolidate the Act.

Sir, I move.

MR. SPEAKER: Motion moved:

"That the Bill to consolidate and amend the law regulating certain payments, dealings in foreign exchange and securities, transactions indirectly affecting foreign exchange and the import and export of currency and bullion, for the conservation of the foreign exchange resources of the country and the proper utilisation thereof in the interests of the economic development of the country, as reported by the joint Committee, be taken into consideration."

The time allotted is 6 hours.

SHRI INDRAJIT GUPTA (Alipore): How much time for General Discussion?

MR. SPEAKER: How much time do you propose? I think, 4 hours for General Discussion and then for clause-by-clause consideration and third reading—one hour each. Of course, it is with marginal adjustment here and there.

Shri Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Mr. Speaker, Sir, the foreign business interests in this country are like an "Octopus" and they control the multi-National Corporations. In the international business operations, unfortunately, my country is one of the worst victims. I feel, as long as this Government in power is with this class character, there is no remedy. It will continue to go on.

In four sectors along—there are many sectors—the foreign investment is to the tune of Rs. 466 crores. So

[Shri Jyotirmoy Bosu]

serious a matter it has become that the United Nations has taken a decision—I quote:

> "The United Nations is launching a year-long inquiry on multi-national companies with the aim of devising some international form of monitering system for their giant enterprises."

why is it? It is because the problem has assumed such seriousness. But, as I said, we are one of the worst victims.

Are we concerned about it? Have we taken any real steps to prevent it? I will show by instances that the answer is "No". It further says:

> "Business multi-national corportions, unlike governments, are not directly responsible for their behaviour to any broadly based electorate."

One suggestion is that "a code of conduct might be drawn up", etc. etc. There is the United Nations panel to probe into giant firms. I want to ask Mr. Chavan: Have you sent a representative and, if so, who is he, is he an official member or a non-official member, and from which source? I want to have the details. It has been done by the Economic and Social Council. Then, the Government is hand in glove with these miscreants. I am very sorry to say, but past performance was this. Let us see how they are treating this man, Mr. Gupta, who is now taking over the Metro Cinema in Calcutta and the Matro Cinema in Bombay by paying black foreign exchange to the previous owners, Metro Goldwyn Mayers in Switzerland. We have been writing letters, seeking the Ministers, but nothing has stopped them. It is taking its own course.

13.44 hrs.

(MR. DEPUTY-SPEAKER *in the Chair.*)

If you look at the latitude you have given to the foreign companies in the matter of arrears of income-tax—there was a question on the 17th August, 1973, you will find that it runs into millions and billions of rupees; then, production for more than licensed capacity by foreign companies; then the report on the quantum of foreign equity participation in Indian compenies—I do not want to go into deteails because the time is limited—all these show that this Government is least anxious to prevent this serious evil which, more or less, is eating into the vitals of the country.

The Bill is nothing but an eye-wash. I have said that from the very beginning. Otherwise, why have the foreign banks which are the kingpins of all foreign transactions and malpratices been kept outside? Mr. Chavan, kindly cover this in your reply. What is the reason? Why has Government kept the foreign banks outside the purview of this Bills? I consider that they are the principal criminals, they are your Reserve Bank's came to authorised dealers. If you keep them outside, how do you expect us to believe that you are serious about checking malpractices here?

Take, for example, the National and Grindlays Bank. They had an imported capital of Rs. 1.72 crores, and their Indian deposits are Rs. 291.51 crores. They are the bankers of Maruti. The Chairman has called on the high-ups here, including the Prime Minister. I have given a positive charge to Mr. Chavan that these bankers evaded income-tax to the tune of Rs. 75 crores in the course of the last two years. This has been going on for the last one year. But, so far, nothing has come out because the 75 crores evader cannot be touched; they will be after a small man who has an income of 7,000 a year. You connot touch National and Grindlays because they are bankers to Maruti; they cannot be touched. To how many big chaps' sons they are providing jobs; Is it not a fact—you can find out. Mr. Chavan—that one of your Finance Secretaries' son is

provided there. They always go in for the off-springs of those who are in power so that they can continue to plunder the country unabated and unchecked.

This Bill does not reflect the different methods, the magnitude of the malpractice and the Government's anxiety. The Reserve Bank had wide powers by the 1947 Act. I have got a copy of the same—about 12 items. If they really wanted to apply they, they could have easily controlled and checked these malpractices which are now almost tounching the sky. They seldom used that and Government never wanted it. I will show you the increase in the number of malpractices. The number of searches conducted by the Enforcement Directorate in the matter of violation of foreign exchange regulations; 1970—1112; 1971—1235. The number of searches proved to be infructuous is increasing. How kind the Government is to the white suckers. The number was 428 in 1970 and it is 459 in 1971. In 1970 the number of malpractices brought to their notice was 674 and it rose in 1971 to 776. Mr. Chavan, you had enought powers to check these malpractices, but you, with your class character, cannot do it, cannot touch them. Then, customs smuggling—the customs people themselves have confessed that they are able to detect only 10 per cent of the smuggling cases. Sir, this Act is a mere petty amendment and will fail to do anything which is basic and true. They have made no deep study of the evils. They have not identified the problems. The Law Commission Chairman, responsible for advising the Government for drafting—I do not know—confessed that they dealt with the legalistic aspect of the Bill, they never did any real study as to how these methods are practised and how much could be prevented, because this Government is subservient to the monopolists, both foreign and Indian and in this case, more to the foreign corrupt. This is a purposeless piece of document—this report. I have never seen such gross understatement in my life and I thought they are more anxious to give a clearance to these criminals, the foreign tycoons and the foreign capitalists than to help the people who pay their salary cheques at the end of the month. They estimated these malpractices at Rs. 240 crores and who are the persons who were invited to appear before them? None of us. Two persons they found in the population of 55 crores. One was Mr. Palkhiwala and another, a spokesman of some Chamber of Commerce. That is all. They asked people who are guilty of these things to sit in judgment of the whole thing. It has now been universalled accepted that the minimum amount involved in these practices are to the tune of Rs. 1000 crores. The Economic and Political Weekly in a very useful article has said:

"It is surprising that there is no mention in the Report of the sizeable foreign exchange leakage taking place on account of import of worthless goods, granting of import licences to established exporters and actual users in excess of their entitlements or requirements, excess remittances by importers through manipulations of paymnts for freight and imports against forged licences or licences obtained by parties having no manufacturing unit or industry. Similarly there is also no mention of the leakages taking place on the export side through manipulation of export contracts, seeking of agency commissions or reduction of export values on various pretexts, disappearance of the GR forms in transit or....

Mr. Chavan, please hear:

"....in the customs or the RBI. non-realisation of export proceeeds by the RBI due to its inadequate follow-up system and unsatisfactory procedures of matching the three sets of the prescribed forms for exports...."

[Shri Jyotirmoy Bosu]

Then it goes on to say:

> "If foreign exchange leakages on all these counts are taken into account the magnitude of the loss would not be below Rs. 450-500 crores per annum. The estimate of demand for foreign exchange in the unauthorised channels in the Report is also much lower than what it would appear to be on realistic assumptions."

This is a most well-edited economic and political weekly of the country and they have very clearly said that this report is nothing but an eye-wash.

This report of the Reserve Bank—Sir, the Reserve Bank is not worth its salt. More about it later on, when we take up another Bill. They have enormous powers but they cannot use them. The Government cannot allow them to use. At the same time, the big tycoons sitting in the Bank would not let these to be applied. They not only failed to improve the economic condition of the country but they failed to arrest the deterioration in the same field. How has the Reserve Bank of India legalised or regularised the illegal remittances—I will show you in a minute. The scope of the permissible remittances is horrifying. The bank remittances are horrifying. How is it increasing? This National and Grindlays Bank—I take this out of 13 and there are 13 foreign banks—has remitted Rs. 50.73 lakhs towards Head Office expenses and Rs. 80.50 lakhs by way of profits in 1967 and in 1968, the remittances were Rs. 58.25 lakhs towards head office expenses. You see how it has been increasing. The profits were Rs. 74,97,000. Head office expenses in 1969 were of the order of 78-41,000. It jumped from the figure of 5,00,780 in 1967 to this figure in 1969. This is the position. Every year it is increasing. In 1970 the figure is Rs. 1.05,31,000. Every year it is jumping up by leaps and bounds. We have Mr. Chavan sitting here. We have Economic Affairs Department in the Ministry of Finance. We have the Reserve Bank; we have the exchange control, we have everything. These people, with their capital of Rs. 1.72 crores and Indian deposit of Rs. 293 crores are being allowed to take away as much money as they can carry in their ships. I will tell you about certain other instances. This is about technical know-how, royalties and technical fees. This comes under Section 591 of the Companies Act. In 1968-68 this figure is Rs. 112.77 lakhs. Next year it is 1130 lakhs. In evrey year they are getting more and more. Regarding foreign airlines companies, the position is this. From 738 lakhs it rose to 1304 lakhs. The grand-total in 1968-69 is 38.67 crores. In next year it rose to 51.86 crores. The entire set up is in collaboration with these people to plunder this country.

MR. DEPUTY-SPEAKER: You are taking too much time.

SHRI JYOTIRMOY BOSU: In 1968-69 the assets were Rs. 12.3 crores, it rose to Rs. 14 crores next year and 14 1/2 crores in the succeeding year.

MR. DEPUTY-SPEAKER: It would have been better if you had bestowed more attention on the Bill and said in which way this Bill could plug the loopholes.

SHRI JYOTIRMOY BOSU: I am quoting because....

MR. DEPUTY-SPEAKER: Suppose we accept the figures. What do you want? It will be more relevant if you say what the Bill should provide for.

SHRI JYOTIRMOY BOSU: I am giving the diagnosis of the evil. They are taking more and more profits every year. Remittances are in excess of capital. There is no restriction at all. The foolish Indian capitalists and the Government ruling in the country have been subservient and that is why they have been taking out huge amounts by way of royalties, by way of capitalised value of trade marks,

head office expenses, administrative expenses, etc. etc. It will be an interesting thing to know about the Imperial Tobbacco Company. They have now got a new name. That is, The Indian Tobacco Company. The capitalised value is Rs. 4.9 crores. Their remittances in one year had been Rs. 66.6 lakhs. This is what this Government allows.

MR. DEPUTY-SPEAKER: Please come to the Bill....

SHRI JYOTIRMOY BOSU: I am coming to the Bill. I am on the Bill, Sir....

MR. DEPUTY-SPEAKER: You have taken more time than you are allowed.

SHRI JYOTIRMOY BOSU: You have been teaching humanities as a teacher.

SHRI PILOO MODY (Godhra): Therefore, you should have a humanistic treatment of him.

SHRI JYOTIRMOY BOSU: That is right .

14 hrs.

On the products of international repute, British controlled tobacco almost tops the list. I shall give you the figures. I won't go into the matter.

MR. DEPUTY-SPEAKER: In what way can the Bill be improved?

SHRI JYOTIRMOY BOSU: Sir, I had been a Member of the Select Committee and I have given a note of dissent.

MR. DEPUTY-SPEAKER: These figures take too much time. You are giving figures after figures.

SHRI JYOTIRMOY BOSU: Then, Sir, take Coca Cola. I do not know how many bottles we want.

MR. DEPUTY-SPEAKER: I do not drink anything. I drink only pure water if that is available.

SHRI JYOTIRMOY BOSU: That is very good. They go in their name without entering into any manufacturing activities themselves. The products are largely owned internationally but they have been indigenously made and often marketed by them.

Your Bill does not talk about them. They should not be allowed to perform in non-priority sector. Your Bill also does not say that they should not be allowed to trade and make profit and remit money earned on the Indian products. That is why I am saying this. We do not want Coco Cola. It is only a combination of caffine and phospheric acid which decay your teeth. That is how Indian ventures have been killed. The authority assumed powers but they will never be used because nothing in the Bill is mandatory on the Government and on the Reserve Bank of India. Even the Kaul Committee which has recommended the establishment of an evaluation cell has not been accepted. But, the foreigners even take away the money on Indian products.

As usual, the well-established practice is that while you import you pay more but while you export you get less. There are exceptions. Now, what is happening? There is a big Report of the Industrial Licensing Policy Inquiry Committee from where you will see that the foreign companies are producing upto 900 per cent more than hteir registered installed capacity. Has Shri Chavan ever bothered to go and visit one of these factories in the company of Shri Subramaniam and find out how they are doing? They are doing it by underinvoicing the imports of machinery. I shall give you the names. They are:

British India Electric Construction Co.,	100 per cent
Indian Explosives Ltd. I.C.I.	54.93 per cent
Indian Explosives Ltd.	66.50 per cent

[Shri Jyotirmoy Bosu]

Containers and Closures Ltd. 112.58 per cent

Bata Shoe Co. 107.05 per cent

(*Interruptions*)

SHRI PILOO MODY: I think Mr. Bosu should be given 'Padma Bhushan'.

SHRI JYOTIRMOY BOSU: This is about their production in excess of licensed capacity or installed capacity and by importing the machinery by under-invoicing. As regards the other companies, the figures are:—

Guest Keen and Williams Ltd. 248.59 per cent

Pfizer Ltd., Chandigarh. 286.67 per cent

Burroughs Wellcome and Co. (India) Ltd. 375 per cent

This firm tops the list of their registered installed licensing capacity. Have you seen their performance in the matter of underinvoicing and overinvoicing? They take about Rs. 240 crores.

In the P.A.C. Fifty-sixth Report of 1968-69 they say—after this, it has grown by leaps and bounds:

"An idea of the extent of overvaluation can be had from the fact that imported raw hides and skins, both cleared and uncleared, the value of which was estimated at Rs. 1,03,500, were invoiced at Rs. 1,54,32,438 (i.e., 149 times the assessed value).

* * * *

"1.46. The Committee are concerned over the performance of the Customs Department in these cases. It appears to them surprising that the apprising staff of the Department, who were supported to keep (*Interruptions*).

MR. DEPUTY-SPEAKER: Mr. Bosu, what is the use of reading it?

SHRI JYOTIRMOY BOSU: I say this Bill does not contain anything at all. I am not going to touch the Bill because it is not worth being touched.

The Public Accounts Committee's report further says:

"It appears to hav been surprising that the apprising staff of the Department who were supposed to keep in constant touch with the market and maintain registers showing the prices of commodities coming from various sources should not have been able to detect these cases, over-invoicing in some of which was as high as 228 times of the assessed values.".

This is what Mr. Chavan's Department had been doing for long.

I have already referred to the question of over-production by under-invoicing of machinery. I have told you to what extent over-invoicing and under-invoicing is done, by quoting from the report of the Public Accounts Committee. But these are all acts of the friends of those who have been doing *Garibi Hatao*. So, you cannot blame them for this.

On top of this, we have unchecked importation of foreign executives at very highly paid wages, and sometimes they are tax-free. We want to know why it is that when Indian talents are sufficiently available in the country it should be done like this.

Then, take the question of foreign equity participation. My suggestion is that the Reserve Bank should not allow foreign banks to be authorised dealers and any company with more than 11 per cent foreign equity participation should be called a foreign company. Or it should also be taken into consideration as to who actually controls the company. A person may have just 10 per cent shares and yet

he may control the company. There have been many such instances. Financial collaboration under any circumstances should be banned. There is no need for financial collaboration. Of course, now that wheat is purchased from the private sector in America, there will be a flood-gate of investment which would be thrown open because the love-call has gone from India to Washington. So, we have got to be careful that we impose a ceiling on remittances, and that remittances should never exceed 10 per cent of the depreciated capital of the company. And banks or companies should not be allowed any borrowing from Indian sources. Neither should we allow diversification of Indian companies, as they have allowed the Indian Tobacco Co., to start hotels, as if Indians cannot start hotels, or to enter non-priority sectors.

As regards transfer of properties and assets of non-residents, they do a tremendous amount of under-valuation. If Government detect the under-valuation, they should please freeze them...

MR. DEPUTY-SPEAKER: Now, the hon. Member should conclude....

SHRI JYOTIRMOY BOSU: I do not want to say anything more. I have read the Bill thoroughly. It is no use wasting time on that.

MR. DEPUTY-SPEAKER: Then, let him conclude.

SHRI JYOTIRMOY BOSU: Then, I want to say one other thing.

They are talking about conservation of foreign exchange. But I had received a letter last night. This had been posted from London and bears the London stamp. If Mr. Chavan wants it, I can give it to him. It mentions the name of a Minister of the West Bengal Government who came to Rome with his wife in the first week of June under the plea to attend the meeting of the Tea Committee, FAO. It further says:

"Although he attended the meeting an hour or so in course of a week (Enquire from the attending officers). After that, he with his wife and an escort from London, toured the whole of Western Europe. All along, he stayed in five-star hotels, moved in chauffeur-driven cars. In all places, Indian Embassies gave him VIP treatment. The total expenditure of this trip was at least $ 7000. Where did he get it from?".

SHRI PILOO MODY: There are no five-star hotels in Europe.

SHRI JYOTIRMOY BOSU: I do not want to mention the name of the Minister, but he is a Minister of the West Bengal Government who had gone to attend the FAO meeting. Mr. Chavan, when he replies to the debate, may kindly cover this point also. If he wants the letter, I can send it on to him, and when he replies, he may kindly cover this point also and say whether that is true or not. This is what I have got from London.

*SHRI C. CHITTIBABU (Chingleput): Mr. Deputy-Speaker, Sir, on behalf of my party, the Dravida Munnetra Kazhagam, I rise to express my views on the Foreign Exchange Regulation Bill, which has been introduced by the hon. Minister of Finance, Shri Chavan.

Sir, this Bill contains 81 clauses. Clauses 1 to 32 refer to the regulations that are being imposed by the Government on the use of foreign exchange. Clauses 33 to 81 detail the penalties and punishments that will be meted out to those offenders circumventing these regulations. At the very outset, I would like to point out that 57 clauses in this Bill have been taken verbatim from the existing Act.

The Public Accounts Committee of this House in its 56th Report in 1968 pointed out how through over-invoicing of imports the valuable foreign

*The original speech was delivered in Tamil.

[Shri C. Chittababu]

exchange is being drained out of the country. The Law Commission in its 47th Report on the 'Trial and Punishment of Social and Economic Offences" made certain recommendations regarding the amendment of Foreign Exchange Act. In the light of the experience gained during the last several years, the Directorate of Enforcement expressed the need for re-regulating the flow of foreign exchange in and out of the country. The Reserve Bank of India also felt similarly and made some recommendations in this regard to that the leakage of foreign exchange can be stopped. The hon. Minister of Finance in his introductory speech stated that this Bill has been drafted on the basis of these recommendations.

Sir, the foreign exchange reserves of a country denote its economic strength. Nobody can dispute this economic truth. But, not only the prominent dailies of this country but also many renowned dailies of the world have repeatedly pointed out that the present economic ills of our country are due to the wrong and ineffective policies pursued by the Central Government. If you go through the Economic Review, 1972-73, of the Central Government, you will find the following observation:

> "Unlike last year, the current financial year may end up with a significant fall in the level of foreign exchange reserves".

This is the observation of the Ministry of Finance of the Government of India. Having realised this, I wonder how the hon. Minister of Finance has piloted this semi-baked and half-hearted measure for the purpose of conserving foreign exchange. The Kaul Committee appointed by the Government of India pointed out that annual leakage of foreign exchange would be of the order of Rs. 240 crores. But the economic experts who tendered their evidence before the Joint Committee expressed the view that it would be of the order of Rs. 1000 crores per annum. They have also categorically stated before the Joint Committee that this Bill will not be of much use in the matter of preventing this huge drain of foreign exchange.

Sir, here I have to express my heart-felt sympathy for the hon. Minister of Finance. The Minister of Finance may have the prerogative of piloting this halting legislation intended to revitalise the saffing economy of our country. But, unfortunately, though he has put the old wine in the new bottle by incorporating verbatim as many as 57 clauses in this Bill from the existing Act, I would like to know from him whether he has got the power to implement the provisions of this Bill. When he is just to play the role of a Post Office, when he is just to be the stamping pad of somebody else I fail to understand why he should have taken so much trouble in getting this Bill scrutinised by the Joint Committee comprising of the Members of both the Houses of Parliament and later in getting this Bill passed by both the Huses. After this Bill becomes a law, he is stamped out. The power of implementing the provisions of this Bill vests with the Personnel Department of the Cabinet Secretariat functioning under the Prime Minister. It would have been befitting if the Prime Minister had piloted this legislation. That would have given an opportunity for the people of the country to appreciate the efforts of the Prime Minister in setting right the economic disarray.

I want to know from the hon. Finance Minister how many of our countrymen are in a position to understand the efficacy of this Bill. Out of 56 crores of people, even 5000 may not be aware of the consequences of violating this law. You may be able to count on your finger-tips the number of people conversant with the provisions of this law. In our country there is the vast number of gullible people who can be hoodwinked easily and that is why political chicanery abounds in our country. That is why politics has become a profession in

our country. When you talk about foreign exchange to the people traversing in bullock-carts, they can only be silent spectators and never active participants. The common people of our country have not been educated by the Government to the extent of understanding the use of foreign exchange. Only a handful coterie enjoys the benefits that flow from the use of foreign exchange. The Government have enacted the M.R.T.P. Act to prevent the growth of monopolies, which act as a stumbling block in the way of establishing socialism in the country. While the enactment of this law is being bragged about by the Government of India as the first step in bringing socialism to the country, for all these years the Government have not cared to prevent the leakage of foreign exchange running to several hundreds of crores. Now, this half-hearted legislation has been brought before this House. If the Government were serious to help the poor, they should have come forward with the proposal for nationalising the entire import and export trade of the country. No, the Government would not offend the susceptibilities of those who are the milch cows of the ruling party for election purposes.

Do the poor people get the import and export licences? Can the Government deny that all the import and export licences are issued to monopolists like Birla, Tata and Bajaj who are holding the economy of the country to ransom? Who are the beneficiaries of the blanket permits given by the Government—not the poor people of the country. I would like to know from the hon. Minister of finance whose party's catchword is socialism, what are the concessions and facilities that have been given to Oberoi Hotel, and to Coco-Cola organisation, which has repatriated to a foreign country Rs. 40 crores in foreign exchange on an investment of just Rs. 4 crores. The administrative inefficiency of the Central Government has been exploited by the vested interests of the country in the form of over-invoicing the exports and under-invoicing the imports. Can you say that Tata, who is sanctioned foreign exchange just 40 pounds, is able to maintain himself in London or New York or in other western capitals? He has got behind-the-screen agreements with his foreign counterparts who take care of him lavishly when he is abroad. The consequence is that the nation is deprived of valuable foreign exchange.

In these circumstances, can you appreciate the hesitation on the part of the Government to nationalise the import and export trade of the country?

I would like to give another example of how the foreign exchange is being looted. An actor from Tamil Nadu approached the Finance Ministry for permission to picturise his film abroad and he also wanted foreign exchange. Without a thorough scrutiny of the arguments advanced by him for going abroad to shoot his film, the Finance Ministry accorded its sanction on the ground of some technical features and recommended the sanction of foreign exchange to him. If the Ministry were to be compelled to give an explanation of their action, I am sure, Sir, the cat will be out of the bag. I am referring to the picture of ULAGUM SUTRUM VALIBHAN which was picturised abroad, the actor-producer of which was sanctioned Rs. 75,000 in foreign exchange for this purpose. Can the Central Government explain how he was able to get a Bank guarantee running to 4, 5 lakhs before the foreign exchange of Rs. 75,000 was sanctioned to him? One of the conditions for sanctioning this foreign exchange was that he should remit Rs. 4.5 lakhs in foreign exchange before the said film was released in India. Could the Minister tell the House whether he gave that much money in foreign exchange? He could not have given that much money in foreign exchange because the said film was not exhibited in any foreign country to earn that much money. This actor-producer gave back to the Central Gov-

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ernment this money in Indian rupee and not in foreign exchange as per the stipulated condition. Without the knowledge of Reserve Bank, he would not have been able to bring about 4.5 lakhs in foreign exchange.

Another condition was that the actor-producer should submit to the Government a statement of expenditure to the Government in regard to the foreign exchange sanctioned to him. I am given to understand that that also has not been complied with by him. Yet another condition was that no foreign actor or actress should act in the concerned film. But it is common knowledge now that a foreign acrtess has played an import role in this film. Did she act in this film without receiving any remuneration from him? If he has given the statement of expenditure to the Government, can the hon. Minister of Finance tell the house whether this foreign actress hss been paid remuneration in foreign exchange or not? Either way, it is a contravention of the stipulation laid down by the Government. What action has been taken against this actor-producer for violating the foreign exchange rules and regulations?

In reply to a point raised by Shri Lakshmanan of Dravida Munnetra Kazhagam, the hon. Minister Shri Ganesh stated on the floor of this House that the actor-producer has deposited about Rs. 4.5 lakhs in the Tfeasury. Before he replied, did Shri Ganesh pause for a moment and think as to how he could have paid this money, when he is not in a position to pay the income tax arrears running to Rs. 13.5 lakhs? When the picture had not been released in foreign countries, he could definitely not have paid the dues of the Government in foreign exchange.

MR. DEPUTY-SPEAKER: I think the hon. Member is aware of the rules. No sccusation of a defamatory character can be made unless he is in a position to prove it.

SHRI G. VISWANATHAN (Wandiwash): He is referring to the answers given by the Minister previously in this House.

MR. DEPUTY-SPEAKER: Please do not mention any names.

SHRI G. VISWANATHAN: He is not mentioning any names.

SHRI C. CHITTIBABU: The time has come for making the people of the country know about the nefarious political games being played by the members of the party in power. On August 8, 1972 this actor in cinematic overtones announced in the Madurai Conference of D.M.K. that he would face the Indian Army on the issue of State autonomy. The ruling party at the Centre, agitated by such violent utterances, threatened him that action would be taken against him under Section 19(ii) of the Foreign Excange Act and issued a notice to him containing 31 questions. When the actor-producer got this notice, he got panicky as was anticipated by the ruling party at the Centre. The ruling party at the Centre did not lose this golden opportunity. There was a meeting in Mylapore at Madras in which the late-lamented Central Minister advised him to save himself by coming out of the D.M.K. with 100 M.L.As which will ensure of the fall of the popularly elected State Government. The same Officer of the Department who sent to him this notice was deputed to help him in drafting answers to the questions.

I had raised myself questions on the floor of this House in regard to this issue in November last year and April and August this year. The hon. Minister. Shri Ganesh has replied that the matter is under investigation and any divulgance of information would hamper investigation. In reply to Unstarred Question No. 3813 raised by Shri Madhu Limaye on 22.8-1973, the hon. Minister of State in the Ministry of Home Affairs. Shri Ram Niwas Mirdha has replied as follows:

"The Directorate of Enforcement are inquiring into the alleged violation of the provisions of the Foreign Exchange Regulation Act, 1947 by M|s Emgeeyar Pictures P. Ltd. and its Managing Director, Shri M. G. Ramachandran. It will not be expedient to disclosure further details as it may hamper investigation. Based on the results of the investigation, appropriate action in accordance with the law will be taken.

This is the stand of one Minister in the Council of Ministers of the Government of India. Here, I would read out the answer given to Unstarred Question No. 1942 raised by me on 3-8-1973, which has been answered by Shri K. R. Ganesh:

Dtails regarding the expenditure of the sum of Rs. 75,000 released to the producer for the location shooting abroad have since been furnished by the Party to the Reserve Bsnk. *Prima facie*, the detailed explanation furnished appears to be satisfactory.

It is beyond my comprehension how one Minister expresses his subjective satisfaction about the explanation given by the actor-producer, while his own colleague in the Council of Ministers says that the investigation in this case is on and appropriate action in accordance with the law will be taken. I do not know which Minister is in complicity with the actor-producer. At least the people of the country have got a right to know about this.

Even today, I would like to know from the Minister whether the Government have received satisfactory replies to 31 questions from the actor-producer. According to my information, the replies have not yet been furnished by this actor-producer to the Government of India. Will the hon. Minister of Finance agree to appoint a committee for a thorough investigation into this scandal? When this is the situation, I wonder how this very same actor-producer has been sent to Soviet Russia. In a similar case, one Mr. Nagappa Chettisr of Tamil Nadu, who has also been served with a notice under Section 19(ii), has been legally stopped from going abroad.

MR. DEPUTY-SPEAKER: I told you that names cannot be mentioned without giving prior notice under the rules. Again you are mentioning certain names.

SHRI C. CHITTIBABU: As I had mentioned earlier, these names have figured in the questions that have been raised on the floor of this House.

MR. DEPUTY-SPEAKER: You may refer to them. But, please do not bring in new allegations.

SHRI C. CHITTIBABU: I am only repeating the same allegation of violation of Foreign Exchange Regulation Act. As I mentioned earlier, from the answers to questions I have quoted, it is clear that Shri Ganesh is shielding this actor-producer who stabbed in the back of the political party which has formed a stable Government in the State after obtaining a massive mandate from the people. I need not emphasise the fact that this drama is being enacted under the cover of statutory powers to topple a domocratically elected popular Government in the State. It is also strange that, when the State Governments are not permitted to enter into agreement with foreign governments, this very same actor-producer has signed an agreement—I do not know whether the Central Government have permitted this private individual to do so far producing a film as a joint Ino-Soviet effort. I would like the hon. Minister of Finance to clarify whether in this agreement there is the question of foreign exchange involvement or not.

Besides the leakage of foreign exchange, we have got the problem of black money and red money. Recently, when Shri Raghunatha Reddy, the

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Minister of Labour, addressed a meeting of the Bank Employees Association at Madras, he exhorted to them that they must extend their full co-operation to the Government in tackling the problem of black money. He expressed the view that the powers vested with the Government are alone not adequate to tackle this problem. But, the Joint Committee on the Foreign Exchange Regulation Bill of which the hon. Minister of Finance, Shri Chavan, was also a Member, had not cared to incorporate the suggestions made before it by the Reserve Bank Employees' Association for the purpose of effectively stopping the leakage of foreign exchange. On the one hand, the Bank employees are asked to assist the Government in this respect, and on the other, the suggestions of the employees of the premier Bank are brushed aside.

I have narrated these things to show to you, Sir, that the laws of the land have become instruments for political profiteering and for subjugating political enemies. From the instances I have given, it will be clear to you that the laws have not become potent weapons for economic emancipation. Instead of implementing the laws objectively for the welfare of the people, the provisions of the laws are being used for perpetuating the power of the ruling party. As I am sure that this Bill is also going to help the rich and vested interests behind the screen and it is not going to contribute anything to the economic rejuvenation which alone can help the poor, I oppose this Bill.

With these words, I conclude.

SHRI INDRAJIT GUPTA (Alipore): Sir, this Bill has been introduced with a very laudable objective, namely conservation of the foreign exchange resources of the country and proper utilisation thereof in the interests of the economic development of the country. That is a polite way of expressing the concern not only of the Government but of the entire country at the tremendous illegal drainage of foreign exchange which has been taking place over the last many years and which is an open secret known to everybody.

Therefore, we have to test this bill by the critarion of its capacity or the seriousness or the intention behind it to plug the major loopholes in so far as these loopholes are discerning. In one word I would say that to my mind this Bill indulges more in a great deal of window-dressing than on anything else. I do not deny that in some of the provisions there has been an attempt to plug some of the minor loopholes, but many of the major loopholes have been left standing wide open, and the reason for that as I was able to understand as a member of the Joint Committee has been the concentrated pressure of many Chambers of Commerce, many big business houses and import and export houses, which took an active part in making their representations to which they are naturally entitled to. There was concentrated pressure by them and the result has been that the whole thing has been diluted and watered down to an extent which, to my mind, will not make this Act an effective weapon in the hands of the Government if the Government really wants to conserve our foreign exchange resources.

Let me give an example. As Shri Jyotirmoy Basu also mentioned, the Reserve Bank of India was given a lot of powers in the past. There is no doubt about it that they have been armed with considerable powers, even in the past. But, despite that, we were not able to check this illegal leakage of foreign exchange on a massive scale. Now, we find that the

Chambers of Commerce the big business houses, expert and import houses, their representatives and counsels have concentrated their argument on this point that there is too much of power given to the Reserve Bank, that there is undue concentration of powers in the hands of the Reserve Bank, that there is excessive powers of central given to the Reserve Bank and that, therefore, these must be reduced. Shri Chavan was just now taking great pains to recount a number of new responsibilities which have no doubt been added to the functions of the Reserve Bank. The field has been widened so that in many more cases the prior permission and prior approval of the Reserve Bank may be required. But, may I humbly submit that these things by themselves do not ensure that the powers of the Reserve Bank will in any way be more effectively utilized than they were in the past? In the context of these people complaining in the name of excessive control undue concentration of powers by the Reserve Bank let us see what clause 74 says. It reads:—

> "The Reserve Bank may, with the previous approval of the Central Government, by order, delegate any of its powers or functions,—
>
> (i) under section 8, 9, 10 or 11 or sub-clause (b) of clause (A) of sub-section (2) of section 17 or sub-section (7) of section 17 to any authorised dealer; or
>
> (ii) under section 8 or 9 to any money-changer...."

The authorised dealers or money changers are generally the foreign banks in our country. Now much more power is being delegated to them by this clause. I think this clause will be welcomed by the chambers of commerce and big business houses because this is precisely what they were wanting.

May I ask another question? Has the Government considered the desirability of giving retrospective effect to any part of this Bill? For instance, clause 26(4) reads as follows:—

> "Notwithstanding anything contained in any other law no transfer of an interest in any business in India made by a person resident outside India to any person also resident outside India shall be valid unless such transfer is confirmed by the Reserve Bank on an application made to it in this behalf by the transferor or the transferee."

I welcome this clause. But it is rather like locking the stable-door after the horse has run away.

I have in mind—Mr .Ganesh knows it verywell—the affairs of the Metro Cinema. It was raised so many times in this House. He himself admitted here in a statement that he made in the House, that the Government has got ample grounds to suspect that there was some shady deal behind it. The word used by him was "shady" deal. But what happened ultimately? The Law Ministry was consulted, the Company Affairs people were consulted and then Mr. Ganesh came forward with the answer that under the Act as it exists, it there is a transfer of business in India by one foreign party to another foreign party, then that is valid and nothing can be done about it.

Now, they have come forward with this new clause which is very good. But unless it is given some retrospective effect, all these deals, like, the Metro transfer or so many others which have taken place will be absolutely outside the ambit of this Act.

Then about the question of 40 per cent ownership of shares by a non-resident, if it is more than 40 per cent, it will be considered to be a capital of a non-resident, otherwise not. I suggest this is a fantastic figure. Now-a-days, it is well known

[Shri Indrajit Gupta]

to anybody that even with a block of 20 per cent shares, a whole company can be controlled. Here, what is stated is that if shares are held by foreign parties not beyond 40 per cent, then that will not be treated as the capital of a non-resident. I think, this is a fantastic figure that has been prescribed. This is itself opening a loophole very wide open. I would suggest to him that this 40 per cent should be reduced to 15 per cent or 10 per cent. With 40 per cent shares in the hands of foreigners, you try to pretend that that company cannot be controlled by foreigners! Who is being taken for a ride?

Another point that I would like to make is this. About the Indian big business houses which are being allowed increasingly to start business, to set up manufacturing units, and so on, abroad, I do not find in this Bill anything very effective to keep a close watch and scrutiny on them and to check any illegal or improper foreign exchange dealings which they are liable to indulge in. I find their number is going up.

In a reply given in a statement only this morning I find that between January—June, this year, only the first six months, there is a list of these joint ventures which have been sanctioned by the Government abroad. We find the people who are participating in these joint ventures abroad from our side are the same sort of people—Mahindra & Mahindra in Indonesia; Tatas Export Ltd. also in Indonesia; Century Spinning and Manufacturing Co., also in Indonesia; Sarabhai Chemicals, Singhanias, etc. The Oberoi Hotels Ltd. have been allowed to start a five-star hotel in Sri Lanka. Altogether 163 such proposals for joint ventures abroad have been sanctioned. I know, the figures will go up. The export of Indian capital abroad is now an established thing which this Government is encouraging. I want to know from him what is there in the Bill which really provides for any close watch and scrutiny on the foreign exchange dealings of those big business houses in this country which are going on in joint ventures abroad. I do not find anything here.

About under-invoicing and over-invoicing of course, all those clauses have been referred to by Mr. Chavan, that all attempts are being made to keep them within some sort of control. But I would suggest that nothing can be done effectively about it. The whole machinery of this under-invoicing and over-invoicing has been perfected so much in a million dubious ways by these people over the years. Why not certified copies of at least those contracts and the bills of lading be deposited compulsorily with the Reserve Bank of India? You must know the thing is done through the bills of lading which you have to compare and check up with the contracts and certified copies of these documents should be registered compulsorily with the Reserve Bank of India but there is no provision of this kind of a thing here.

About the ceiling on the repatriation of profits by the foreign companies, I do not want to add anything. A huge drain is going on. This was mentioned by Mr. Jyotirmoy Bosu. But I would say also that it is interesting to see the ways these foreign companies here operate. He has referred to the National and Grindlays Bank. I also wish to make of brief reference to it because that is the biggest and oldest foreign bank operating in this country. The point is that in 1969 the First National City Bank of New York has obtained 40 per cent beneficial interest in the equity capital of the Grindlays. That is known and after that, every year in the name of paying technical fees—the technical fees paid by the National and Grindlays Bank to the First National City Bank of New York because they hold 40 per cent of their equity capital—they have come to some agreement among themselves that technical fees will be paid year after year. In the name of technical

fees they are remitting Rs. 28.80 lakhs in 1970-71 and Rs. 29.70 lakhs in 1971-72. This has become another outlet through which huge amounts of foreign exchange are being taken away. It is absurd to imagine that a foreign bank which has a 110 years standing in this country, the Grindlays Bank, now at this late stage are required to pay these huge amounts as technical fees to the First National City Bank of New York. Also what have they done? Buildings acquired or constructed or which are owned by the National Grindlays Bank in India—out of Indian profits naturally—have been transferred to their head office. Their ownership has been transferred to the Head Office in London and the Branches of the National and Grindlays Bank in this country have become the rent-paying tenants of their own head office and on that score, they are paying for depreciation, for repairs, for renovations and for maintenance of these buildings and on all these accounts another big amount is going out of the country. What are we going to do about all this? These loopholes cannot be plugged, I think, by the Bill as it stands.

I might also mention in passing that the so-called technical advice for which they are paying fees is now being exercised in a way that all small depositors are being driven away from the Grindlays Bank. They have imposed new restrictions putting minimum limits of balance to be maintained in their bank and already since 1972, 60,000 small depositors have been driven out of this bank because they no longer come within the minimum permissible limit they have laid down. This is the kind of technical advice which has been given by the First National City Bank of New York for which they are being paid huge technical fees. This is the kind of thing which is going on.

To my mind, the central corpus of this Bill lies in clauses 26, 27 and 28, the central corpus by which we have to test the sincerity or otherwise of the Government to make a really serious effort to plug this foreign exchange leakage. Now, as far as clause 28 is concerned, I find that the Minister himself has come forward with some amendments which will be taken up in due course. I think he had circulated those amendments. This clause 28 as it stood meant that any Indian company or any Indian firm here would directly buy the goods from the branch of a foreign company or a foreign company in this country, buy their goods and sell them directly in the market through the retail distributors on the condition that they may utilise the brand name or trade mark if you like to call it that way, the brand name of the foreign company so that it may sell it elsewhere. There is nothing to plug that loophole. I have no time to study the details of Mr. Chavan's amendment.

SHRI YESHWANTRAO CHAVAN: I have accepted Mr Madhu Limaye's amendment.

SHRI INDRAJIT GUPTA: We will come to the amendment stage later. All I can say is, till Mr. Madhu Limaye's amendment was brought to your notice or attention there was a dangerous gap. These foreign companies get something manufactured here locally and they put their brand name or trade mark or foreign name and market it as such. There is a big gap. No other bigger fraud or conspiracy can there be. They show these amounts as profits of the foreign company and in this way they repatriate huge amounts out of the country.

PROF. MADHU DANDAVATE (Rajapur): Mr. Madhu Limaye's amendment will plug such loopholes.

SHRI INDRAJIT GUPTA: Here it is the other way where they circumvent it by showing that they have no direct connection with that company because they buy the goods and sell them independently. They have to

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use the trade mark of that company. That may be plugged. Now, by this new amendment I hope it will be done, and I hope the House also will be vigilant to see to that.

Clause 26 is a controversial thing because this refers to branches of foreign companies operating here. Foreign companies are registered under Indian Companies Act. Those branches which are here of foreign companies operating here, are not registered under our Indian Companies Act. They are not required to register themselves uptill now as the law stands. Who are these? Mr. Jyotirmoy Bosu referred to them as multinational corporations, about which countries more vigilant than us have been expressing grave concern. Over the last few months and years the activities of these multi-national and multi-pronged corporations have penetrated in to the economy of so many countries. These people have got branches operating in our country and those branches are not registered under our Act. They are therefore not amenable to our discipline, our legislations in the matter of Company regulations. And, in this way some wishy-washy things are done. In actual practice, what we find is that theee companies take double advantage. It is not as though they are such types of companies who are very weak in the matter of competition with our Indian firms. Not at all. They are the people representing multinational corporations, having multi-national ramifications. They are stronger than our own people, and by our own people, I am not referring to Birlas and Tatas. I am referring to tens and thousands of entrepreneurs and industrialists and small-scale, medium-scale people and so on in this country, who do not have either the desire or the capacity to gain for joint collaboration with foreigners. They are small people and they are medium people. They are people who want to develop this country on the basis of selfreliance. But what happens? These particular branches are operating in this country more and more; they cannot be brought within the control of our Companies Act; they are not registered under it. They have the double advantage. They enjoy their own potential power of competition by virtue of their enormous resources which are backing them. Secondly, they are free to operate here, in our country, outside the ambit of our Companies Act.

This is a major loophole which is sticking up this Bill as a big nose of anybody else is sticking up. I am surprised that Shri Chavan cannot see it. Therefore I say that—I see more amendments have been tabled—he will give some consideration to this effect only. Let us at least put those branches of these foreign companies—this is what we are asking for—on the same footing as those foreign companies which are registered in India. Nobody is demanding through this clause some nationalisation or some such terrific radical sounding thing which scares our Government so much. There are foreign companies registered in this country. At least should not the branches of these foreign companies which operate in this country be put on the same footing? Make it obligatory for them to register themselves under the Indian Companies Act or, otherwise, you prohibit them from carrying on their business here. I do not know whether these ventures which have been started by the Indians in other countries are also subjected to any of their owns laws or financial discipline or whether there is any pre-condition existing there under which these countries should not make them subjected to any of their own laws or financial discipline. I am not aware of what happens in other countries. But, certainly, this plays havoc in our country. Therefore, this clause 26, I think, must be amended—amended only to this extent which is enough for the present. I do not say it will plug all the loopholes. But, at least, they must be compelled to register under the Indian Companies Act.

Clause 27, I think, is the one which leaves a loophole for the Indian big business houses operating abroad for opening manufacturing and commercial ventures in the foreign countries and doing all kinds of malpractices without being checked.

As regards clause 28, I have already referred to it, it has perhaps caught the attention of the Minister now. He will try to do something about that. I could not follow in his opening remarks how exactly he was commending this new provision, which has been put in as a safeguard, I suppose, against what you call 'vexatious search'. This is a clear example of the pressure of Shri Piloo Mody and his friends. I say this is a victory for them.

SHRI PILOO MODY: Victory will be always ours.

SHRI INDRAJIT GUPTA: I would like to know this from him. That means you are opening the door for a prolonged litigation because, who is going to judge what is the vexatious sparch. Am I to take it that when a vexatious search is carried out with all the *bona fide* intentions and when it results in caching something, it will immediately be challenged? Will the officers. who have carried out that search with all good faith be subjected to penalties? Will that be because the court will bold that in this vexatious search nothing has been found?

SHRI PILOO MODY: That is what 'exatious search' means.

SHRI INDRAJIT GUPTA: You will please tell that when you participate. I do not want you to do that now.

SHRI PILOO MODY: You said you wanted to know that from me.

SHRI INDRAJIT GUPTA: Not out of turn.

Sir I say that this kind of provision is going to demoralise your entire enforcement directorate. This is a very dangerous thing. Everytime we know big raids or big searches were carried out in some big business houses; in Calcutta years ago when big searches were made in regard to jute exports and all that, a big commotion was picked up in the big business circles. Since that time they have all been saying that they must not be subject to harassment. I say why you put in the term like 'vexations search' in the draft statute? If you put it, then you must tell us what do you mean by vexatious search? Who is going to decide this? And how is it going to be defined? Does it mean that when a search is carried out and when it does not produce any results, you will say that the aggrieved party will go to the court? Suppose the courts being what they are say that it is not a vexatious searh. Does it mean that even the officers must be penalised for that? If that is done, then what would happen to the morale of the officers? I do not think this is the way of strengthening the enforcement directorate at all. This is a way of weakening them and demoralising their officers. Then, Sir, I wanted to bring to the notice of the House some more points. There are many things. But, there is no time for that.

I would only say that this amending Bill has come up before the House after many many years. Please try to see that you do not leave any loose ends and loopholes. But, please try to make it effective because we are in the midst of a terrific economic crisis, foreign exchange crisis and a political crisis. The nation cannot afford this kind of malpractices; in this illegal manner, there is drain in our foreign exchange. We cannot afford this drain and theft of foreign exchange to go on like this. I am sure the Minister realises that and the entire Government also is perturbed over this question and they should not in any way succumb to any undue pressures of these circles which have been indulging in these things. I want that they should not be allowed to go in the same way.

MR. DEPUTY-SPEAKER: Shri Jagannath Rao.

SHRI PILOO MODY: Let him not make a vexatious speech. I am going away.

SHRI JAGANNATH RAO (Chatrapur): I wish to make a few observations in regard to this Bill. It is a consolidating and amending Bill which seeks to replace the Foreign Exchange Regulation Act, 1947. The working of the 1947 Act has shown that there are several loopholes which need to be plugged, so that the measure could be made more stringent and the leakage of foreign exchange may be stopped. But as I went through the Bill I began to have many fears that the objective with which the amending Bill had been brought forward perhaps would not be achieved.

In the Statement of Objects and Reasons appended to the Bill it has been said:

> "There is need for regulating, among other matters, the entry of foreign capital in the form of branches and concerns with substantial non-resident interests in them, and the employment of foreigners etc...".

I would like to know how this Bill has tried to regulate the entry of foreign capital in the form of branches and concerns with substantial non-resident interests in them.

If you look at clause 26 you will find that it is nothing but a reproduction of section 18 of the old Act and Explanation I thereto. Perhaps, section 18 was more stringent than Clause 26. If you look at the Explanation to section 18 of the old Act, you will find that it reads thus:

> "The companies referred to in sub-section (1) are companies not incorporated under any law in force in India in the case of which any of the following conditions is fulfilled:—
>
> (a) that the company is by any means controlled directly or indirectly by persons resident in India; or
>
> (b) that more than half the sums which, on a liquidation, thereof, would be receivable by holders of share or loan capital, would be receivable directly or indirectly by, or for the benefit of, persons resident in India.".

Clause (a) of this Explanation refers to control. But control is nowhere defined in the Companies Act. A person need not have 51 per cent shareholding or 40 per cent shareholding or even 33-1/3 per cent or even 25 per cent shareholding for this purpose. Control is a question of fact. A person owning 10 per cent of the shares may also be able to control a company, and there are instances where he can control the functioning of a company. Therefore, control has been cleverly and purposely not defined in the Companies Act. By omitting this provision contained in Explanation I of section 18 of the old Act, this provision is being made more innocuous. Under the old Act, any company with 10 per cent shareholding or any person having 10 per cent of the shares or interest in the shareholding to the extent of 10 per cent who controls, would be covered by the Act, but now that is taken away and we are limited to 49 per cent or 40 per cent. Why should there be 40 per cent for this purpose?

Why should a foreign company not register itself in India? It should be subject to the discipline of the country in which it operates. I have no objection if Indian industrialists who are starting companies elsewhere are also made subject to the financial discipline of the countries in which they operate. That is but natural. Why should be exclude these people? The present provision means that only if it is 40 per cent or more, this Act would apply. But where the capital of a foreign company or a

foreign non-resident is 40 per cent or less he is not bound by the conditions given in the Act. What is the idea behind this? Therefore, I am not able to appreciate this. Perhaps, section 18 of the Old Act was perhaps more stringent than the enlarged clause 26 which runs into several pages.

As pointed out by my friend, Shri Indrajit Gupta, why not the branches of foreign firms also register themselves in our country so that they come under the discipline of the company law and the Foreign Exchange Regulation Act? I doubt whether the Finance Ministry consulted the company law department before bringing in this amendment. These are interrelated things. The functioning of these companies, firms and associates is going to be affected. That department knows the lapses, abuses and distortions committed in the operation of companies. I do not know whether they have been consulted.

As regards repatriation, as the previous speaker said, there is no limit to it. The repatriate their profits under different heads. dividends, commissions, head office expenses and so on. In reply to a question, it was stated that crores and crores of rupees are being taken away every year. Therefore, there should be a ceiling on foreign capital in our country. There is no dearth of capital in the country. There is enough money. People who are in a position to invest are investing. So there should be a limit of 20 or 25 per cent.

Then why should any foreigner or non-resident be allowed to trade in our country? I can understand it if he is engaged in production, manufacture or processing which are all defined in the Bill. But for trading, we should not have any foreigner in the country. Even the Central Government or RBI should not have the power to permit any foreigner, even a technical man, when talents are available in the country in various fields of industrial activity. Let us give opportunities to our own talented people to play their part.

I would add that foreign banks should not be appointed as dealers or money changers. The RBI and the nationalised banks should discharge this function.

The study team has said that nearly one-fourth of the leakage in foreign exchange every year is through over-invoicing of imports and under-invoicing of exports. This is done by big business houses and big businessmen. They all belong to a group of companies which is defined in the MRTP Act and Companies Act. They operate within themselves. It is difficult to catch them. I do not think even the enlarged cl. 28 would go a long way unless officers of the RBI are posted in several places in foreign countries to check at the time of the deposit of documents, agreements, bills of lading etc. All these things are deposited there. I think a careful personal watch is necessary to see that these malpractices are not committed. Mere enactment of law would not serve the purpose.

I am glad that cl. 28 is now being sought to be amended by the inclusion of (c). Otherwise, there would have been a great lacuna which I myself felt would be a source of continued evil.

This Bill, as introduced, tries to define offences and also imposes severe penalties. When we read the first part of the clause, it is severe, but when we read the second part, power is given to the court to give a lesser punishment. The first part may please MPs; the second part will please businessmen. This need not have been put in there. It is open to the court if the circumstances of the case deserved to give a lesser sentence. For commission of a second offence, you have provided a severe

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penalty, but even in such cases power is given to the court to award a sentence of imprisonment of less than six months. I cannot understand this. I have been in the profession for more than 25 years.

15.00 hrs.

SHRI YESHWANTRAO CHAVAN: He is out of touch with the profession.

SHRI JAGANNATH RAO: I am in touch with it. Please point out to me any Act where such a provision is there. Even for second offence, discretion is given to the court by the statute to award a lesser sentence. I have not come across such a thing; I shall be happy if you could advocate me.

MR. DEPUTY-SPEAKER: Would you like to continue on Monday?

SHRI JAGANNATH RAO: Yes, Sir.

MR. DEPUTY-SPEAKER: All right then; we take up Private Members' business now.

15.01 hrs.

ERADICATION OF POVERTY SCHEME BILL*

श्री जमुना प्रसाद मंडल (समस्तीपूर) : मैं प्रस्ताव करता हूं

> "कि देश से गरीबी का उन्मूलन करने की योजना का उपबन्ध करने वाले विधेयक को पुरःस्थापित करने की अनमति दी जाये ।"

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for a scheme for eradication of poverty from the country."

The motion was adopted.

श्री यमुना प्रसाद मंडल : मैं विधेयक को पुरःस्थापित करता हूं :

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new articles 125A and 221A)

श्री मधु लिमये (बांका) : मैं प्रस्तावित करता हूं "कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाये ।"

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the constitution of India."

The motion was adopted.

श्री मधु लिमये : मैं विधेयक को पुरःस्थापित करता हूं ।

UNIVERSITY GRANTS COMMISSION (AMENDMENT) BILL*

Insertation of new section 12B and amendment of section 14)

श्री मधु लिमये (बांका) : मैं प्रस्ताव करता हूं "कि विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाये ।"

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the University Grants Commission Act, 1956."

The motion was adopted.

श्री मधु लिमये : मैं विधेयक को पुरःस्थापित करता हूं ।

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DELIMITATION (AMENDMENT) BILL*

(Insertion of new section 9A)

श्री मधु लिमये (बांका) : मैं प्रस्ताव करता हूं" कि परिसीमन अधिनियम, 1972 का और संशोधन करने वाले विधेयक को पुर:- स्थापित करने की अनुमति दी जाये।"

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduced aBill to amend the Delimitation Act, 1972."

The motion was adopted.

श्री मधु लिमये : मैं विधेयक को पुर:- स्थापित करता हूं।

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(*Omission of sections* 107 *and* 109)

श्री मधु लिमये (बांका) : मैं प्रस्ताव करता हूं कि दण्ड प्रक्रिया संहिता, 1898 का और संशोधन करने वाले विधेयक को पुर: स्थापित करने की अनुमति दी जाये।"

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

श्री मधु लिमये : मैं विधेयक को पुर: स्थापित करता हूं।

UTILIZATION OF LAND ADJOINING RAILWAY TRACK BILL*

SHRI VISHWANATH PRATAP SINGH (Phulpur): Sir, I beg to move for leave to introduce a Bill to provide for the utilization of land adjoining railway track on both sides for agricultural purposes.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the utilization of land adjoining railway track on both sides for agricultural purposes."

The motion was adopted.

SHRI VISHWANATH PRATAP SINGH: I introduce the Bill.

LEPROSY CONTROL AND REHABILITATION OF LEPERS BILL*

SHRI VISHWANATH PRATAP SINGH (Phulpur): Sir, I beg to move for leave to introduce a Bill to provide for prevention and control of leprosy and rehabilitation of lepers and for matters connected therewith.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for prevention and control of leprosy and rehabilitation of lepers and for matters connected therewith."

The motion was adopted.

SHRI VISHWANATH PRATAP SINGH: I introduce the Bill.

15.03 hrs.

NETAJI NATIONAL ACADEMY BILL—*contd.*
by Shri Samar Guha

MR. DEPUTY-SPEAKER: We shall now take up further consideration of the Netaji National Academy Bill moved by Shri Samar Guha. He has to continue his reply. I should say

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[Mr. Deputy-Speaker]

that while moving the Bill he took 54 minutes and I hope he would not take too much time now.

SHRI SAMAR GUHA (Contai): The Minister has made some observations and I have to reply to them. I am thankful to those Members who gave 'A' category priority to this patriotic Bill and to all those Members also who have given their unanimous support to it. I have no doubt that people outside will highly appreciate the patriotic support that had been lent to this Bill by the Members belonging to all parties in the House. Unfortunately the reply given by the Minister that day does not reflect the fervour of the unanimous support that had been given by all sections of the House. That also reflects the wide and big hiatus, immeasurable hiatus if I may say so, between the feeling of the common people of our country and the feeling of the institution of power that is ruling the destiny of our people. In any part of our country, in all patriotic houses from Nagaland to Gujarat, or from Tamilnadu to Kashmir a portrait or picture of Netaji is invariably found. But it is a matter of regret that except in one State, neither in the offices of the Central Government nor in the offices of any State Government, nor in the Defence establishments, a portrait or picture of Netaji is found. It is also a matter of regret that in this House a large number of members, not once or twice, but many times requested the Speaker to have a portrait of Netaji in the Central Hall but even that patriotic demand has not been conceded.

Many people ask me, why do I wear this amblem of Netaji always? I know there are criticisms that it is an infantile exhibition of hero worship. Some people also feel, that it is a melodramatic posture of political immaturity. Some others have even hinted that I am trying to make a political trade on the heritage of Netaji. I have just now said that there is a big hiatus between the feelings of the people and the feeling of the ruling power for the last 25 years and that is the reason why as a mark of protest I am wearing this badge of Netaji. At my age, which is almost near old age.....

MR. DEPUTY-SPEAKER- You look very young.

SHRI SAMAR GUHA: With an experience of 40 years of humble service to the country, ordinarily it does not befit me to wear this badge. But I repeat, I wear it as a mark of protest that the feelings of admiration, adoration and homage of the people to the great revolutionary have not been, what to speak of adequately, even minimally reflected in the attitude or feeling of the ruling power towards him. It is as a constant reminder of this basic fact that I wear this badge and I will continue to wear it as long as I happen to be a member of this House.

There has been somewhat confusion about the object of this Bill. Some friends who spoke during the debate thought that in the name of Netaji National Academy Bill, I wanted to ask the Government to set up a new university. The minister also said that there are already six national universities and as if I was advocating the setting up of a seventh national university. Also there has been a little bit of misunderstanding as if the whole objective of this Bill was to project the image of Netaji, project the political philosophy of Netaji and create a centre of propaganda for his political and philosophical ideologies. This is far from the objectives that have been outlined in this Bill.

Sir, I have already said in my earlier part of the speech that Netaji wants to live in posterity, not as Subhas Chandra Bose but with a nameless name, as a patriot, as an Indian pilgrim. That is why he has

named his autobiography as *"The Autobiography of an Indian Pilgram."* In it lies the inner being of a revotionary who was essentially an Indian missionary. He merged his identity with the identity of his motherland, with the aspirations of his motherland. I wanted that such a National Institute or National Academy should be set up to deal with the problems which are very vital to the national, and deal with problems which are living and which give an integral outlook of the ideological understanding or evaluation of Netaji's politics.

What are the subjects that I wanted this National Academy to take up? I wanted it to take up the economics of planning, a comparative study of political philosophies, advance military science and problems of national integration.

I wanted the association of the name of Netaji with this Institute because it has been agreed by all that Netaji is the father of Indian national planning. There are planning ceils of the Government but it is absolutely essential for our country to have advanced studies, higher researches on the subject of national planning, because the concept of national planning originated essentially in the totalitarian countries with totalitarian concepts and it had its own fulfilment in a totalitarian policy. To have national planning in a democratic set up is not an easy task. This is one of the reasons why our planning, the concept of planning, the dynamics and mechanics of our planning have failed, because we have not been able to integrate the principles of our planning with the principles of our democracy. Therefore, I feel that Netaji started the process as the President of the Hraipura Congress where in his presidential address he outlined the basic principles of the planning that India should follow. It is absolutely essential, if we want to build up a democratic society based on socialist principles, that an independent institute should be set up to make a higher study of the objective of planning and how the objective of planning can be fitted into the democratic set up of our country. That is the reason why I wanted that the economics of national planning should be one of the subjects for this Netaji National Academy.

Coming to military science, I do not know whether any country in any part of the world, within the last one century, within a period of 25 years faced five external aggressions. The issue of our national security is very vital to our country. Even now we have potential enemies. We should not entrust study of all the problems of defence, all the problems of national security only to the defence personnel, only to the official defence organisation, but there sould be certain higher independent institute which should go into the matter to have an indepenedent study of the problem, keeping in view the progress of the modern trend of military science all over the world. After the great revolutionary Shivaji, Netaji is the greatest military genius and that is why I wanted that our defence people, our security men, our studies of the issue of national security should have at least the inspiration of the greatness of that military genius which we have found in Netaji.

The third objective of the Academy is the problem of national Integration. Even now, when the National Integration Council is meeting on many occasions, India is facing many problems which affect our emotional integration. We thought that after partition the communal problem would be solved. But even after partition, in that and this part of the country, in this and that part of the sub-continent communal problems have raised their hydra-head. Not only communal problems but regionalism, linguism, provincialism, casteism and many kinds of

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separatist and divisive tendencies are plaguing the soul of our country but creating a dangerous situation.

There is also another dangerous "son of the soil" theory. Now, we hear in every part of the country as if a Bengali is not an Indian, as if a Gujarati is not an Indian, as if a Gujarati has no right to settle in Bengal and do his job there. This problem of lack of national integration has become so serious. Unless we seriously tackle the problem, we may have to go the European way. Europe has greater common bonds among different communities and States then exist in India. But yet Europe has been dis-membered into different sovereign States because there has not been a fundamental understanding of, I should say, harmony among the European community.

For the last few centuries, I should say, for even a few thousand years, there have been different soverign States in India. India was politically divided into many States. But India was culturally one. From the point of view of the concept of cultural union, cultural synthesis, India always represented as one indivisible nationality. The foreigners dealt with the concept of nationalism which developed, after the Nepolean era, into the concept of nationalism based on States. But if we study the Indian history, the Indian culture, the Indian philosophy, the concept of Indian nationalism is based on something else. It is a concept of cultural unity; it is a concept of cultural harmony; it is a concept of spritual harmony. And that is the heritage we are carrying. Although we speak in different languages, yet we are one.

I wanted to integrate all this with the name of Netaji because Netaji is the only person who during the Azad Hind movement, be it the Hindu, be it the Muslim, be it the Christian, be it the Buddhist, coming from every part of the country, integrated all of them into one single national being. Mahatma Gandhi said several times that it was Netaji who abolished all caste, creed and religious distinction from the Azad Hind Fauj and that he will be remembered in the Indian history because he successfully abolished all communalism, and caste, creed, religious barriers and infused the spirit of national unity among all the Indians to work under his banner as Indians.

At the time of partition movement, 80 per cent of the higher officers of the Azad Hind Fauj, belonged to that part which is now called Pakistan. They resisted the cry of Pakistan and they opposed the demand for Pakistan and fought for united India. At the time when the two-nation theory, when the hatred of communalism, was creating havoc in the country, at that time Netaji defied Communalism and realised unique national unity. That is the reason why this problem has to be studied in the proposed Netaji National Academy. New avenues have to be discovered so that national integration becomes a reality.

Through the evolution of the last 2½ centuries, we find, the different values of a constitutional government, the different values of political democracy, the different values of economic democracy—call it socialism—are in vogue in different parts of the world. What we find today is that there is no integrated concept of these values, the concept of political values, democratic values, economic values—all integrated into one concept of higher human values. There is a conflict between different ideologies in different parts of the world. Netaji gave one unique slogan to India to fulfil this task. He said that the objective of free India will be to synthesise, to harmonise, to create an integrated concept of national ideo-

logy based on the concept of freedom, democracy and socialism. In some parts of the world, there are so-called democracies, in other parts there are so-called socialisms. Netaji said in 1944, in his Tokyo University speech, that the task of India will be to move to the next stage of socio-political evolution of the world by synthesising the fundamental values of freedom, democracy and socialism into an integrated concept of national philosophy; that is the mission that India can carry forward for the progress of human civilisation as a whole. Netaji is neither for this ideology or for that ideology in the absolute sense. He was never anti-any-ideology because he thought that no ideology could be the last word of human wisdom.' Therefore, he used the words 'with critical sympathy we should study all the ideologies that are in vogue in different parts of the world'. We have to into rate, we have to harmonise and synthesise them into a newer concept of synthesis which is based on the three fundamental principles of human freedom, human democracy and the concept of economic democracy. That is freedom, democracy and socialism. That is the reason why I wanted this Academy to study comparative political philosophis.

As I have already said, I did not mean that the Academy should be another University but only higher studies, advanced studies, research work should be conducted in it so that an Indian Institute may be associated with the name and great beritage of Netaji and vital national problems which are integrally associated with the ideological out look of Netaji should riflet in the subjects to be studied in the proposed Academy.

I am very sorry I used harsh words on the other day about the Ministers-both the senior and junior. The senior Minister is not here. But I did not mean it personally to them. It was not any personal affront. If he thought so, I am sorry. I did not mean it. When I used the word 'you', I meant the institution they represent, the political institution which they represent. But, unfortunately, the hon. Minister, honourable, no doubt, is a professor too, but the poor minionic Minister did not carefully go through the script that was prepared for him. Otherwise he should have exercised and taken a little bit of discretion while going through the script. The hon. Minister knows those people who are sitting in the desk somewhere have prepared it and their arguments sent to him have given. He has quoted so many and so much of the logic, mentioning them as 'Insurmountable constitutional problems.' Then he cited Schedules after Schedule—the Seventh Schedule, I, II, III and so on, and innumberable clauses. I do not know whether the hon'ble Minister cared to go through those schedules. Sir, I do not want to take the time of the House by reading these constitutional clauses. I request you that before you said that—he is a young friend and he and the hon. senior Minister both have, I believe, as great admiration for Netaji as anybody else—I do not want to use harsh words against them but I would say, you should have used a little bit of discretion while saying that there is a constitutional reason for not accepting the Bill as if it is a sort of a constitutional problem. Why such a national academy cannot be established? Because, the Minister says that there is a 'insurmountable constitutional difficulty'. To-day I have not used strong words. I again wish the hon. minionic Minister has had exercised a little discretion before he read out his prepared speech made out by those people who do not care to go through the art of how to interpret constitutional issues.

I think the Minister knows the Institute—the Institute of Advance Studies in Simla. He knows the name as he deals with its budget also. How could this body come up? There

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was no constitutional bar. Those clauses of Seventh Schedule, I, II and III and the many clauses you mentioned—did not they stand in the way? If it did not, how do they come in the way of Netaji Academy? Hon. Minister—I want to ask you another question. Surely you know the name of another University—Jawaharlal Nehru University. You know it as you deal with the budget for it. How did it come about? With the Central approval. A bill was passed by this House. If it is so, why do you advance this infantile logic, this unintelligble logic that you cannot accept this Bill for certain constitutional reasons and these are, what shall I say, not only childish, not only puerile but meaningless also. You wanted to hide the real reason as to why you could not accept this Bill. I am very glad that in the name of Pandit Jawaharlal Nehru there are so many institutions. Jawaharlal Nehru is one of the greatest sons of this country. His contribution will ever be remembered. But how did you bring out about this Institute—the Jawaharlal Nehru University? Then there is the Nehru Yuvak Kendra, Nehru Memorial Museum and the Jawaharlal Bal Bhavan and also Nehru Award on International Affairs. There are many more. How could you bring about these institutions? Through the Bills passed in this House.

Therefore, do not say that for constitutional reason this Bill cannot be accepted. Why do you try to hide the real reason? Say straightaway that it is not possible for the Government to accept this. Say straightaway. In this House, not once, but twice—I do not want to give its details today, what we discussed about expenditure made by the Government in paying tributes to our great leaders,—crores of rupees have been spent. I have used this and I do not want to use it to-day because I do not want to compare what you have spent for different national personalities. Crores of rupees are being spent in honour of our great men. I am very happy about it. More should be spent in the name of Gandhiji, in the name of Panditji, even in the name of Maulana Azad, in the name of Shastriji. But, may I know this, Sir? For Netaji, how much did the Government spend? Till 1970, only Rs. 5,000. Now, after much insistence of mine, you have given some Rs. 2 or 3 lakhs to the Netaji Museum and that is all for Netaji.

Sir, I appeal to the conscience of members of the House, the conscience of the nation, how they feel about it, and what their attitude about it, is. What is the way you pay your homage to Netaji? You have not that much of conscience, that much of humility, that much of patriotic sincerity to acknowledge our national debt to Netaji. He did not want anything from you. What was his personal belongings? When he came from Germany to Singapore, do you know what was his personal property? Only a watch, which was given to him by his mother; a Chandi, a Gita, a 'Rudrakshamala'. These four things were inseparable from him wherever he went.

Sir, Netaji did not want any political honour. He wanted to be remembered as the 'Indian Pilgrim'—not even as Subhas Chandra Bose. What I propose is that we should do something in the name of Netaji which will be a great inspiration in reminding his heritage to the younger generation of future years and which will shine as a beacon-light for our inheritors. I have no doubt that in the near future innumerable institutes will be set up in the name of Netaji, because, Sir, the country is not ungrateful to him—unlike the political leaders who are ruling over the country.

Sir, to the people of India, Netaji is the symbol, the ideal, of effulgent patriotism—I quote the words of Sarojini Naidu, 'Flaming Sword of

Indian Patriotism." I quote the words of Pandit Madan Mohan Malaviya, for him,—"The Prince of the Patriots." Mahatma Gandhi called him the "Hypnotic personality." I also quote the words of late Lal Bahadur Shastri who said, 'Netaji' is not only a greatest revolutionary but a beacon who has aroused the patriotic conscience of the country' By not establishing this Academy you will miss the opportunity to share the glory and the honour of paying your humble tribute to Netaji, the great son of our Motherland, Netaji Subhas Chandra Bose.

MR. DEPUTY-SPEAKER: I will put Mr. Daga's amendment.

AN HON. MEMBER: He is not present.

MR. DEPUTY-SPEAKER: He has already moved it. I will put it to the vote of the House. The question is:

"That the Bill to provide for the establishment of the Netaji National Academy to disseminate knowledge on various important subjects and matters connected therewith and incidental thereto, be referred to a Joint Committee of the Houses consisting of 22 Members, 15 from this House, namely:—

Shri Madhu Dandavate, Shri Samar Guha, Shri Indrajit Gupta, Shri D. P. Jadeja, Shri Bhogendra Jha, Shri Jagannathrao Joshi, Shri Prasanabhai Mehta, Shri Paokai Haokip, Shri Partap Singh, Shri Prasannbhai Mehta, Shri Arjun Sethi, Shri Nawal Kishore Sharma, Shri Nawal Kishore Sinha, Shri D. P. Yadav, Shri M. C. Daga, and 7 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was negatived.

MR. DEPUTY-SPEAKER: The motion has been negatived. Even the Mover is not here.

Now, the question is:

"That the Bill to provide for the establishment of the Netaji National Academy to disseminate knowledge on various important subjects and matters connected therewith and incidental thereto, be taken into consideration."

SHRI SAMAR GUHA: Sir, I would like to have the voting recorded on this. Let it be recorded for the posterity of the nation.

MR. DEPUTY-SPEAKER: All right. Let the lobbies be cleared—the Lobbies have been cleared. (*Interruptions*). Order, please. At this stage no more discussion.

The question is:

"That the Bill to provide for the establishment of the Netaji National Academy to disseminate knowledge on various important subjects and matters connected therewith and incidental thereto, be taken into consideration."

The Lok Sabha divided:

Division No. 3] [15.35 hrs.

AYES

Banera, Shri Hamendra Singh
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri Jagadish
Chatterjee, Shri Somnath
Chaudhary, Shri Ishwar
Dandavate, Prof. Madhu
Das, Shri R. P.
Deb, Shri Dasaratha
Deo, Shri P. K.
Dutta, Shri Biren
Goswami, Shrimati Bibha Ghosh
Guha, Shri Samar
Halder, Shri Krishna Chandra
Limaye, Shri Madhu
Mavalankar, Shri P.G.
Roy, Dr. Saradish
Saha, Shri Gadadhar
Vajpayee, Shri Atal Bihari
Viswanathan, Shri G.

NOES

Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Arvhad Netan, Shri
Bajpai, Shri Vidya Dhar
Barman, Shri R. N.
Barua, Shri Bedabrata
Basappa, Shri K.
Basumatari, Shri D.
Bhargava, Shri Basheshwar Nath
Chakleshwar Singh, Shri
Chaturvedi, Shri Rohan Lal
Chhotey Lal, Shri
Daga, Shri M. C.
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Desai, Shri D. D.
Dharia, Shri Mohan
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Ganga Devi, Shrimati
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Ishaque, Shri A. K. M.
Jeyalakshmi, Shrimati V.
Jha, Shri Chiranjib
Kadannappalli, Shri Ramachandran
Kader, Shri S. A.
Kahandole, Shri Z. M.
Kailas, Dr.
Kapur, Shri Sat Pal
Karan Singh, Dr.
Kasture, Shri A. S.
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kotoki, Shri Liladhar
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Mandal, Shri Yamuna Prasad
Mohan Swarup, Shri
Painuli, Shri Paripoornanand
Palodkar, Shri Manikrao
Pandey, Shri Krishna Chandra
Pandey, Shri R. S.
Pandey, Shri Tarkeshwar
Pandit, Shri S. T.
Patel, Shri Natwarlal
Patil, Shri E. V. Vikhe
Patil, Shri Krishnarao
Peje, Shri S. L.
Radhakrishnan, Shri S.
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Ram Swarup, Shri
Rao, Shrimati B. Radhabai A.
Rao, Shri Jagannath
Ray, Shrimati Maya
Reddy, Shri M. Ram Gopal
Richhariya, Dr. Govind Das
Sankata Prasad, Dr.

Sathe, Shri Vasant
Satyanarayana, Shri B.
Savant, Shri Shankerrao
Shambhu Nath, Shri
Shankaranand, Shri B.
Sharma, Shri Nawal Kishore
Shenoy, Shri P. R.
Tula Ram, Shri
Verma, Shri Sukhdeo Prasad
Yadav, Shri D. P.

MR DEPUTY SPEAKER: The result* of the division is: Ayes: 19; Noes: 74.

The motion was negatived.

MR. DEPUTY-SPEAKER: We now take up the next Bill.

Shri Vajpayee.

15.35 hrs.

CONSTITUTION (AMENDMENT) BILL

(Amendment of Article 124)

श्री अटल बिहारी वाजपेयी (ग्वालियर) उपाध्यक्ष जी, मैं प्रस्ताव करता हूं कि भारत के संविधान का और संशोधन करने वाले विधेयक पर विचार किया जाये ।

इस विधेयक के अन्तर्गत मैंने अनुच्छेद 124 में संशोधन का सुझाव रखा है । संविधान का अनुच्छेद 124 संघ की न्यायापालिका और यूनियन जुडीशियरी से सम्बन्धित है । इस अनुच्छेद में यह कहा गया है, मैं उद्धृत कर रहा हूं :

"124(1) भारत का एक उच्चतम-न्यायालय होगा जो भारत के मुख्य न्यायाधिपति तथा, जब तक संसद विधि द्वारा और अधिक संख्या निर्धारण नहीं करती तब तक, अन्य सात से अनधिक न्यायाधीशों से मिल कर बनेगा ।

आगे कहा गया है :

"(2) उच्चतमन्यायालय के, तथा राज्यों के उच्चन्यायालयों के, ऐसे न्यायाधीशों से परामर्श करके, जिन से कि इस प्रयोजन के लिये परामर्श करना राष्ट्रपति आवश्यक समझे, राष्ट्रपति अपने हस्ताक्षर और मुद्रा सहित अधिपत्र द्वारा उच्चतम-न्यायालय के प्रत्येक न्यायाधीश को नियुक्त करेगा तथा वह न्यायाधीश तब तक पद धारण करेगा जब तक कि वह पैंसठ वर्ष की आयु प्राप्त न कर ले ।"

आगे यह भी कहा गया है, मैं उद्धृत कर रहा हूं :

"परन्तु मुख्य न्यायाधिपति से भिन्न किसी अन्य न्यायाधीश की नियुक्ति के विषय में भारत के मुख्य न्यायाधिपति से सर्वदा परामर्श किया जायेगा ।"

DR SARADISH ROY *in the Chair*

15.36 hrs.

मैं चाहता हूं अनुच्छेद 124 के खण्ड (1) के बाद निम्नलिखित जोड़ दिया जाये :

"The seniormost judge of the Suprme Court of India shall be the Chief Justice of India."

अभी तक संविधान मुख्य न्यायाधीश की नियुक्ति के बारे में कुछ नहीं कहता । यह तो कहा गया है कि न्यायाधीशों की नियुक्ति करते समय मुख्य न्यायाधीश से राष्ट्रपति विचार विनिमय करेंगे लेकिन मुख्य न्यायाधीश किसके विचार विनिमय से नियुक्त होगा, इस संबंध में

*The following Members also recorded their votes :
AYES: Shri Madhuryya Haldar ;
NOES: Shri Ram Bhagat Paswan and Shri P.M. Sayeed .

श्री अटल बिहारी वाजपेयी :

संविधान मौन है। शायद मौन इसलिए है कि संविधान के निर्माता समझते थे कि मुख्य न्यायाधीश की नियुक्ति के सम्बन्ध मे एक स्वस्थ परम्परा का पालन किया जायेगा, सर्वोच्च न्यायालय में जो वरिष्ठतम न्यायधीश होगा वही मुख्य न्यायाधीश बनेगा। लेकिन जब से इस देश में प्रतिबद्ध न्यायपालिका की चर्चा होने लगी है, जब से जन न्यायालयों की मांग होने लगी है, जब से पार्लमेन्ट को संविधान से और देश से भी बढ़कर मानने की प्रवृत्ति बल पकड़ने लगी है, हमारे मन मे यह सन्देह उत्पन्न होने लगा था कि सरकार मुख्य न्यायाधीश की नियुक्ति अब किसी स्वस्थ परम्परा के आधार पर नही करेगी, राजनीतिक आधार पर करेगी।

मैंने इस विधेयक की सूचना 20 मई, 1971 को दी थी। उस समय सर्वोच्च न्यायालय में आगे क्या होने वाला है इसकी कल्पना नही की जा सकती थी। लेकिन एक आशका जरूर थ, । क्षितिज के ऊपर इस तरह की धुंधली परछाइयां दिखाई दे रही थी जिन्होने हृदय मे यह भय पैदा किया कि सम्भवत. यह सरकार न्यायपालिका की स्वाधीनता और निष्पक्षता पर कुठाराघात करने मे सकोच नही करेगी। इसीलिए इस विधेयक की सूचना दी गई। इसके उद्देश्यों में कहा गया है :

"The object of this constitutional amendment is to ensure the impartiality of the Supreme Court of India. The present constitutional position gives the Government an unlimited power in appointment of the Chief Justice of India. This power may undermine the independence and impartiality of the highest organ of the judiciary, as the Government can fill the vacancies by appointing persons sharing their political views. Therefore, the amendment provides that only the seniormost judge of the Supreme Court becomes the Chief Justice of India."

जो आशंका थी वह तथ्य बन कर सामने आ गई। सर्वोच्च न्यायालय के तीन वरिष्ठ न्यायाधीशों की ताक पर रख कर एक कनिष्ठ न्यायाधीश को मुख्य न्यायाधीश बना दिया गया। मैं व्यक्तियों में नहीं जाना चाहता। इस चर्चा का यह उद्देश्य भी नहीं है। जो भी न्याय की पीठ पर बैठे, हमारे लिए सम्माननीय है, आदरणीय है।

लेकिन प्रश्न यह है कि मुख्य न्यायाधीश की नियुक्ति की कोई प्रक्रिया होगी या नहीं ? अभी तक कहा जाता था कि एक परम्परा है कि वरिष्ठ न्यायाधीश मुख्य न्यायाधीश बनेगा। स्वाधीनता के वर्ष से लेकर अब तक इस परम्परा का पालन या गया, एक अपवाद को छोड़ कर, जिसमे जस्टिस हमाम वरिष्ठ होने के बावजूद भी मुख्य न्यायाधीश नहीं बने क्योंकि वह शारीरिक दृष्टि से अक्षम हो गए थे। लेकिन शेष सभी मामलो से वरिष्ठता के नियम का पालन किया गया। लेकिन इस बार अपवाद कर दिया गया। अपवाद के समर्थन में जो तर्क दिए गए वे न केवल हास्यास्पद थे, उन्होंने सरकार के इरादों को भी बेनकाब कर दिया। विधि मंत्री सदन में विराजमान हैं। उन्होंने 1958 के ला कमीशन द्वारा पेश की गई रिपोर्ट की धूल झाड़ कर, उस पर लगे हुए मकड़ी के जाले साफ करके उस रिपोर्ट को सदन के सामने पेश कर दिया। कहने लगे कि विधि आयोग ने यह सिफारिश की है कि मुख्य न्यायाधीश की नियुक्ति केवल वरिष्ठता के आधार पर नही होनी चाहिये।

ला कमीशन में जस्टिस छागला भी थे। उन्होंने अभी वकील संघ की बैठक में भाषण दिया था। उन्होंने कहा था कि डैविल सक्रिपचर्ज कोट किया करता है लेकिन डैविल के क्रेडिट में यह बात देनी होगी कि वह सक्रिपचर्ज को सही कोट करता है, गलत कोट नहीं करता है। लेकिन इसी सदन में विधि आयोग की रिपोर्ट ठीक ठीक उद्धृत नहीं की गई। विधि आयोग ने यह भी कहा था कि अगर आपको ऐसी परम्परा

कायम करनी है जिसके अनुसार केवल वरिष्ठता के आधार पर चीफ जस्टिस नियुक्त नहीं होगा तो पहले आपको इस नियम को, इस परम्परा की घोषणा करनी चाहिये, इस कन्वेंशन को एस्टेबलिश करना चाहिये, ऐलान करना चाहिये इसके बारे में ताकि आने वाली किसी नियुक्ति के सम्बन्ध में किसी के मन से यह भाव न हो कि उसकी उपेक्षा की गई है, उसे अन्याय का शिकार बनाया गया है, उसे उसके विचारों के लिए दंडित किया गया है। अगर 1958 के बाद फौरन उसे आप स्वीकार कर लेते और यह परम्परा निश्चित हो जाती तो मामला दूसरा था। सरकार ला कमीशन की रिपोर्ट पर सोती रही जमुना में बहुत सा पानी बह गया, अनेक महीने वर्षों में बदल गए और अचानक जब सरकार ने फैसला कर दिया कि हमें तीन वरिष्ठ जजों को उनके अधिकार से वंचित करना है तो सरकार को ला कमीशन की रिपोर्ट की याद आई। लेकिन ला कमीशन ने जो कहा उसको मैं उद्धृत करना चाहता हूं

"Above all a person of sturdy independence and a towering personality who would on the occasion arising, be the watch dog of the independence of judiciary"

"ऐसा व्यक्ति चीफ जस्टिस होना चाहिये। ला कमीशन ने यह नहीं कहा कि ऐसा व्यक्ति चीफ जस्टिस होना चाहिये जो एफीशेंट हो, कंपेटेंसिटी रखता हो। ऐसा नहीं हो सकता कि सरकार ला कमीशन की रिपोर्ट के एक हिस्से को स्वीकार कर ले और दूसरे को अस्वीकार कर दे। मीठा मीठा गप और कड़वा कड़वा थू यह नहीं हो सकता। ला कमीशन की रिपोर्ट टुकड़ों में नहीं बांटी जा सकती है। अगर आप ला कमीशन की यह बात मानते हैं कि जज ऐसा होना चाहिये जो न्यायपालिका की स्वाधीनता और निष्पक्षता की रक्षा करे, जिसका व्यक्तित्व केवल सरकार के प्रभाव में न आ जाए तो फिर इस सदन में खड़े हो कर जिस नए सिद्धांत का प्रतिपादन किया गया कि जज ऐसा होना चाहिये जो सरकार की सहायता करे, जज ऐसा होना चाहिये जो फार्वर्ड लुकिंग हो, इसकी क्या जरूरत थी।

मैं जस्टिस हिदायतुल्ला का भाषण पढ़ रहा था। उन्होंने बड़ी मजेदार बात कही। उन्होंने कहा कि फार्वर्ड लुकिंग होना चाहिये या "लुकिंग फार्वर्ड" होना चाहिये। फार्वर्ड लुकिंग जज नहीं बल्कि ऐसा जो आगे देखे, इनकी हां में हां मिला कर चले और देखे कि उसको और क्या मिलने वाला है। फार्वर्ड लुकिंग का क्या मतलब है?

सदन में यह भी कहा गया है कि एक जज का दर्शन ऐसा दर्शन होना चाहिये जो सरकार का दर्शन हो, उसका सामाजिक दर्शन होना चाहिये। स्वर्गीय मोहन कुमारमंगलम हमारे बीच में नहीं है। मैं उनको यहां उद्धृत नहीं कर रहा हूं। मैं उनकी बात नहीं भूला हूं जो उन्होंने उस दिन सदन में कही थी। आज वह हमारे बीच में नहीं हैं। हम सब इस कारण दुखी है। लेकिन इस बात से इनकार नहीं किया जा सकता कि उन्होंने बड़ी स्पष्टवादिता से सारी बातें कह दीं और सरकार बेनकाब हो गई, उसका भांडा फूट गया। कम से कम मैं तो उनकी ईमानदारी की तारीफ करूंगा। उनके विचारों से मेरा मतभेद है, उनके विचारों का मैं विरोधी हूं, मैं उनके विचारों को लोकतंत्र के लिए घातक समझता हूं। लेकिन उन्होंने बड़ी निर्भीकता के साथ कह दिया कि हमें ऐसा जज चाहिये जो सुप्रीम कोर्ट और पार्लियामेंट के बीच में कनफ्रंटेशन चल रहा है उसे खत्म कर दे। क्या वर्तमान चीफ जस्टिस ने वादा किया है कि अब यह कनफ्रंटेशन नहीं चलेगा?

विधि मंत्री कुछ दिन पहले चंडीगढ़ गए थे। वहां उन्होंने कहा कि जजों की फिलोसोफी होनी चाहिये वह जो कांस्टीट्यूशन की फिलोसोफी है। लेकिन क्या उनके इस कथन में और स्वर्गीय श्री मोहन कुमारमंगलम के उत्तर

श्री अटल बिहारी वाजपेयी :

मे अन्तर्विरोध नहीं है ? हम मानते हैं कि जजों का दर्शन संविधान का दर्शन होना चाहिये, जज संविधान की शपथ लेता है, जज को बिना किसी भय के, पक्षपात के न्याय करना है लेकिन स्वर्गीय मोहन कुमारमगलम ने सविधान मे निहित दर्शन की बात नही कही । कही होती तो झगडा खडा न होता । उन्होने कहा कि हमे ऐसा जज चाहिए, जो सरकार की सहायता करे। अगर सरकार की सहायता करने वाला जज होगा, तो सरकार के विरुद्ध अपील करने वाले नागरिक को न्याय कौन देगा ? यह बात सदन मे दोहराई जा चुकी है कि 60 फीसदी मे अधिक मामले सरकार के विरुद्ध होते हैं ये मामले बढेंगे, क्योकि सरकार अधिकाधिक आर्थिक और सामाजिक क्षेत्र को अपने हाथ के नीचे लेती जा रही है और शक्ति का केन्द्रीकरण हो रहा है ।

व्यक्ति को शिकायत हो सकती है । उस के मूलभूत अधिकारो का हनन हो सकता है । तब न्याय के लिये उस को अदालत का दरवाजा खटखटाना पडता है, लेकिन अगर न्याय-मन्दिर मे ऐसा न्याय-मूर्ति बैठा है, जो सरकार की सहायता करने के लिये बैठा है, तो फिर व्यक्ति को न्याय नही मिलेगा, व्यक्तिगत स्वाधीनता की रक्षा नही होगी और मूलभूत अधिकारो का सरक्षण नही होगा ।

मै चाहता था कि इस बात का सदन मे खडन किया जाये, लेकिन खडन नही किया गया है । लीपा पोती करने की कोशिश की गई है । सरदार दरबारा सिंह कह रहे हैं कि खाली कहने मे फर्क है वे माननीय सदस्य श्री मोहन कुमारमगलम की स्मृति के साथ न्याय नहीं कर रहे है । यह शब्द का अन्तर नहीयहनही है, चिन्तन का अन्तर है, यह दर्शन का अन्तर है । और इस लिये यह विधेयक सरकार को मौका देता है कि वह अपनी स्थिति स्पष्ट करे । सरकार कौन सी बात चाहती है ?

यह कहा जा सकता है कि अगर हम ने संविधान मे यह लिख दिया कि वरिष्ठ जज को ही मुख्य न्यायाधीश बनाया जायेगा, तो फिर उस अपवाद भी नही किये जा सकेगे । अगर जस्टिस इमाम जैसे मामले फिर हुए तो क्या किया जायेगा ? मेरा निवेदन है कि अगर जस्टिस इमाम वाले मामले फिर से होगे, तो यह आशा रखनी चाहिये कि ऐसे व्यक्ति स्वय त्याग-पत्र दे कर चले जायेगे । उन के लिये कोई अपवाद गढने की आवश्यकता नहीं है । लेकिन इस आधार पर सरकार को यह अपरिमित अधिकार नही दिया जा सकता है ।

अभी दिल्ली मे सारे देश के वकीलो का सम्मेलन हुआ था । सुप्रीम कोर्ट बार एसोशियेशन ने उस सम्मेलन का आयोजन किया था । ला कमीशन के अनेक सदस्य उस मे शामिल थे । उन को किसी दलगत राजनीति से मतलब नही है । लेकिन वे इस बात के लिये चिन्तित है कि इस देश मे न्यायपालिका की स्वाधीनता सुरक्षित रहेगी या नही । उन्होने माग की है कि सरकार इस सम्बन्ध मे अपना दिमाग साफ करे ।

जब सविधान बन रहा था, तो डा० अम्बेडकर ने कहा था कि यह मामला केवल एक्सीक्यूटिव पर नही छोडा जा सकता है । फिर किस की सलाह ली जायेगी ? ऐसा भी सुझाव आया कि कोई पैनल बनाया जाये, वह पैनल नामो की सिफारिश करे और उन नामो मे से कोई व्यक्ति मुख्य न्यायाधीश न बने । अगर विधि मत्री कोई ऐसी व्यवस्था बनाये तो मुझे कोई आपत्ति नहीं होगी, लेकिन आज की स्थिति को स्वीकार नही किया जा सकता है ।

क्या यह ताज्जुब की बात नही है कि जो अवकाश लेने वाले न्यायाधीश थे, उन्हे भी पता नही था कि अगला मुख्य

न्यायाधीश कौन होगा, उन की जगह कौन लेने वाला है। रिटायरिंग चीफ जस्टिस के प्रति सामान्य शिष्टाचार भी नहीं दिखाया गया। आखिर सरकार को पता था कि वह रिटायर होने वाले हैं, उन का कार्य-काल समाप्त होने वाला है। तो फिर पहले से निर्णय क्यों नहीं लिया गया? इस की घोषणा पहले क्यों नहीं की गई? ऐन वक्त पर क्यों की गई?

मैंने जस्टिस हिदायतउल्ला के भाषण में एक बात और पढ़ी। मुझे उस को पढ़ कर बहुत ताज्जुब हुआ। जस्टिस हिदायतउल्ला ने अपने भाषण में कहा है कि मैं तो सोचता था कि जस्टिस शेलट मुख्य न्यायाधीश बनेंगे। जस्टिस हिदायतउल्ला कहते हैं कि वह उन के साथ मजाक किया करते थे

"Hello Shelat! What about taking me to your swearing-in ceremony"

और वे उन को वकेशन जज के नाम से पुकारते थे, लेकिन बात कुछ उल्टी हो गई। जस्टिस हिदायतउल्ला ने यह रहस्योद्घाटन किया है

"I learnt of the supersession of the three Judges and the appointment of Mr Justice Ray at 11 O'clock on the 25th. The news came to me from Ca'cutta It is a most remarkable thing that the announcement took place at 3 30 in the afternoon of the day and I knew about it at 11 in the morning."

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Whose speech is it?

SHRI ATAL BIHARI VAJPAYEE: This is the speech of the former Chief Justice, Mr. Hidayatulla.

खबर कलकत्ता से आई। अधिकारिक घोषणा बाद में हुई। सूचना सवेरे मिल गई। अवकाश प्राप्त करने वाले मुख्य न्यायाधीश को अन्धेरे में रखा गया। क्या कारण है इस का?

दूसरा प्रश्न बार एसोसियेशन के सम्मेलन में यह भी उठाया गया था कि सरकार तब तक चीफ जस्टिस के बारे में ऐलान करने से रूकी रही, जब कि फंडामेंटल राइट्स के बारे में सुप्रीम कोर्ट के फैसले का पता न लग जाये। क्या यह बात सच है जिन तीन जजों ने सरकार के पक्ष में फैसला नहीं दिया, उन्हें उठा कर ताक पर रख दिया गया, उन्हें उन की वरिष्ठता से वंचित करा दिया गया। उन्हें अपमानित किया गया। जिन्होंने सरकार के पक्ष में फैसला दिया था, उनको मुख्य न्यायाधीश के पद पर प्रतिष्ठित कर दिया गया। क्या यह न्यायपालिका की गरिमा को बढ़ाने का तरीका है, क्या यह जनता में यह विश्वास भरने का ढंग है कि उसके मूल भूत अधिकारों की रक्षा होगी, उस के साथ सर्वोच्च न्यायालय में इन्साफ किया जायेगा।

यह प्रश्न केवल तीन जजों का नहीं है। मुझे चीफ जस्टिस से भी कोई शिकायत नहीं है। व्यक्ति के रूप में वह अच्छे हो सकते हैं। मैं एक सिद्धान्त की बात कह रहा हूं। मैं एक प्रणाली को विकसित करने पर बल दे रहा हूं। यह बात हमेशा के लिये सरकार के हाथ में नहीं छोड़ी जा सकती है। सरकार को किसी भी मर्यादा में बांधना होगा और यह विधेयक इस दिशा में प्रयत्न करता है। संविधान में लिखा जा सकता है कि जो वरिष्ठ न्यायाधीश होगा, वह मुख्य न्यायाधीश बनेगा।

जब भी कहा जाता है कि अगर वरिष्ठ न्यायाधीश योग्य न हो, तो? मैं पूछना

[श्री अटल बिहारी वाजपेयी]

चाहता हूं कि अगर वह योग्य नहीं है, तो वह सुप्रीम कोर्ट तक पहुंचा कैसे, क्या सुप्रीम कोर्ट तक पहुंचाने के लिये योग्यता की कोई कसौटियां नहीं है ? जो व्यक्ति सुप्रीम कोर्ट में जज हो सकता है, क्या वह चीफ जस्टिस नहीं हो सकता है ? और क्या कोई कह सकता है कि जो तीन जज सुपरसीड किये गये थे, वे योग्य नहीं थे या उन में निर्णय लेने की और नेतृत्व देने की योग्यता नहीं थी।

लेकिन सरकार को हां में हां मिलाने वाले जज चाहिये। इसलिये यह अपने को किसी नियम, किसी परम्परा और किसी तरीके में बांधना नहीं चाहती ? मगर यह विधेयक इस दिशा में प्रयास है और मैं चाहूंगा कि सदन इस पर विचार करे और अपना मत दे।

SHRI DINESH CHANDRA GOSWAMI (Gauhati) Mr Chairman, Sir, I cong atulate Shri Vajpayee for his very faithful representation of speeches made in the Banquet Hall of Ashoka Hotel But Shri Vajpayee's contention is self-contradictory in the sense that while at the beginning he relied upon the Law Commission's Report to advance his argument that the Law Commission has insisted upon the independence of judgement of persons to be appointed as Chief Justice, he concluded by asking that a man who can go to the Supreme Court and occupy the judgeship of the Supreme Court, why could he not be the Chief Justice when his mettle was tested when he was asked to occupy the position of a Judge of the Supreme Court? May I remind Shri Vajpayee that the Law Commission itself has said that a man who has occupied the post of a Judge of the Supreme Court need not necessarily be fit to be the Chief Justice because what is expected of the Chief Justice of the Supreme Court or the Chief Justice of a High Court is completely different from what is expected of a Judge of a particular court. Because a judge is expected to give judgment but the Chief Justice has certain other executive functions to perform.

In this context, I would like to quote what the Law Commission says:—

> "We have referred to the high and important duties which the Chief Justice of India is called upon to perform It is obvious that succession to an office of this character cannot be regulated by mere seniority For the performance of the duties of Chief Justice of India there is needed, not only a judge of ability and experience, but also a competent administrator capable of handling complex matters that may arise from time to time, a shrewd judge of men and personalities and above all, a person of sturdy independence and towering personality "

Now Mr Vajpayee referred to the words that he will be a person of "sturdy independence" What do we mean by the words "sturdy independence"? Does it mean that a judge will judge a constitutional matter living in an ivory tower or does it mean that a judge will try to interpret the Constitution, taking the Constitution as a living document? As a lawyer, I know, there is a distinction in the interpretation of an ordinary Law and the Constitution and that has been approved by the most competent judges all the world over While you interpret the Constitution, you must interpret it as a living document. "Sturdy independence' does not mean that you shall have to interpret the Constitution as a dead document, only its letter.

While interpreting the Constitution, you must also keep in mind that you must interpret it in a man-

ner that the Preamble of the Constitution is given effect to. Also, the Constitution is a document which the Government has not given to the people but it is a document which we the people have given to ourselves. What does the Preamble say? It says:

"We, the people of India, having solemnly resolved to constitute India into a Sovereign Democratic Republic and to secure to all its citizens:

"Justice, social, economic and political;"

The greatest tragedy in this country is that in the last six years, the Constitution has been interpreted as a dead document. It has been interpreted to favour the vested interests. It has been interpreted in such a manner that the people cannot have justice either social or economic or political. That is the tragedy of this country. And the greater tragedy is that the people like Shri Piloo Mody and Shri Vajpayee in their own interests are trying to create conditions that it helps the vested interests.

Can seniority be the only *sine qua non* for the appointment of the Chief Justice of the Supreme Court? They have said that democracy is in danger. If we look to the democracies of the world, we will find that for the post of the Chief Justice of the Supreme Court, the seniority has never been taken as a criterion. There are reasons behind it. One of the prime reasons is that the Chief Justice of the Supreme Court has a duty to see that he can leave behind him a permanent, a lasting, impression on the court and he may give the court a direction in which to proceed. But, unfortunately, because we followed a convention which I consider unhealthy that a senior judge is made the Chief Justice of the Supreme Court, what we find is that in the last 28 years, we have the misfortune of having 14 Chief Justices of the Supreme Court with Justice Sarkar occupying the Chair for a small period of 3 months and 15 days and Justice Shah for 1 month and 6 days.

How can you expect a Chief Justice with such a short tenure to leave behind him any impression? If no impression is left behind by a Chief Justice of the Supreme Court because of the shortness of the tenure of office, it destroys the character of the organisation.

What do we find in other countries? Australia have had 7 Chief Justices in 70 years, Canada—10 Chief Justices in 73 years, U.S.A—15 Chief Justices in 173 years and U.K.—8 Chief Justices in 73 years. And in 24 years we have got 14 Chief Justices

A lot has been said about commitment. Now, I, for one, would not like a person to be a Judge or Chief Justice, who is committed to the Government in the sense that he will give his judgments absolutely in favour of the Government. To that extent, I will not like a Judge to be of that nature. But can it be said that a person shall be subservient to Government simply because he has been elevated This is not the first case where you find that a person has been elevated out of his turn This is not the first case that a person in the highest judiciary and in the highest judiciary, I include the High Courts also because, after all, the ordinary poor litigant is more concerned with the lower Judiciary and the High Courts than the Supreme Court. Let us take the case of the High Courts. What we find is that there have been innumerable cases in the High Courts where there have been persons who have been superseded and I think the list will be an extremely long one. Uptill now in this country.... (Interruptions). Yes. sixteen Judges. I am quoting the

[Shri Dinesh Chandra Goswami]

facts. Sixteen Judges were superseded including the two Judges Mr. Justice Hegde and Mr Justice Grover. Has at any time been made any allegation against the Judges on the ground that they are trying to toe the line of the Government because the Government at one time or the other made supersession in their favour? If the argument that because a Judge is superseded or he is given a position out of turn, there is a tendency on his part to help the Government, is accepted, then Mr. Justice Hegde and Mr. Justice Grover are not competent to be the Chief Justice because both Mr. Hegde and Mr Grover have got allegiance to the Government as they were superseded at one time or the other. If you argue that if a person is superseded, he will always have an allegiance to the Government and he will try to please the Government, in that case, your argument should go to the logical extreme that at least Mr. Justice Hegde and Mr. Justice Grover who were superseded and who must have their allegiance to the Government, should never be put in the highest position of this country But we know a judge may be superseded but he does not leave behind that allegiance. After all, when Mr. Vajpayee said that we can have some amount of confidence in the Judges, I think his speech reveals a lack of confidence in the Judges. A man may be superseded but I do hope that a person who occupies the highest position in the judiciary of the country will have the independence to see that his judgments are delivered not in favour of the Govermnent but that he will interpret the onstitution in the spirit that it has to be interpreted

We cannot forget the fact that the people of this country have given a mandate to-day that the constitution must be interpreted in a particular way and the way is that the Constitution must be interpreted to see that an egalitarian society is established and, after all, a Judge, while interpreting the Constitution, cannot forget that fact and if he forgets that fact I will say that he is not acting in an independent manner because he is acting as if almost sitting in an ivory tower. Therefore, I feel that these arguments which have been advanced by my friend, Mr. Vajpayee have no basis whatsoever

Now, if you do take this contention that Superssion is bad, well, in that case you cannot say it only in the case of the Judges of the Supreme Court After all, in many other fields we see that persons are superseded What about the Chief of the Army Staff? After all, the Chief of the Army Staff is a man on whom the security of the country to a great extent depends. Now, in the case of the Chief of the Army Staff we do not follow this precedent. We do not follow this precedent while making appointments to other important positions. In fact, in all portfolios or in all offices where a person is to take decisions where he is to take the highest executive decisions, well, the criteria of seniority is never followed and from that point of view, I feel that the Government has done the most correct thing to break away from the convention.

It has been asked: what did you do with the Law Commission's report for the last sixteen years? May I remind him that a thing which is not proper even if it is continued for eternity, does not become proper. Because it is continued for long it does not become proper. If Government did not follow the Law Commission Report for so many years I feel that was wrong approach. Apart from the Law Commission's recommendations what I feel is that in this matter, in view of the important position of the Chief Justice of the Supreme Court which requires highest administrative capabilities, the selection of the seniormost judge as the Chief Justice is a very unhealthy approach and I complement

the Government for the stand it has taken and for making a depa- ture from this approach recently I oppose this Bill and I hope the House will throw it out

SHRI SOMNATH CHATTERJEE (Burdwan) This Bill which Mr Vajpayee submitted in 1971 has acquired a topical interest because of what happened in last April Sir this House discussed the question of supersession of the three judges of the Supreme Court and the appointment of Mr Justice Ray as Chief Justice of India Then we said, so far as the judiciary is concerned, we are not persons who are particularly enamoured of the way the judiciary functioned Unfortunately in respect of cases where there have been clashes between the vested interests and the interests of the common people, the courts tended to lean more in favour of the vested interests Our contention was that we do not want the Government to have absolute power for picking and choosing persons to be appointed as Chief Justice of this country or for that matter as the Chief Justice of any particular State A feeling has been aroused in the country that because a certain judge or certain judges were not found to be amenable to the wishes of the executive, therefore, they should be made the subjects of attack by the executive But we do not agree with the proposal that has been made by Shri Vajpayee because what it seeks to do is to create a vested right in favour of the senior most judge of the Supreme Court of India to be the Chief Justice of India In other matters as we oppose the vested interests here also, we oppose any constitutional provision which will result in creation of vested right in favour of the seniormost judge of India Mr Vajpayee said that the principle behind this Bill is to ensure the independence and impartiality of Supreme Court. I would like to refer to certain decisions of the Supreme Court in recent years In Golaknath case which Mr Setalvad described as a political judgment, we feel, the Supreme Court arrogated to itself a supra legislative power That was not a correct judgment They entered into an arena where they should not have entered That created considerable difficulties requiring the amendment of the Constitution also Amendment of the Constitution was undertaken which was supported by almost all sections of the House The recent decisions of the Supreme Court in the Fundamental Right case is the most difficult document for us to understand what has been decided upon

This is the position of the Supreme Court So far as Parliament is concerned what can it do to remedy these defects? We are talking about independence of the judiciary But, what we find is that a retired Chief Justice of India is now retained as a lawyer of the Tata firm and I am told that he is getting a retainer's fee of Rs 1 lakh per year That does not speak well of the independence of judiciary in this country

We find an ugly competition amongst the judges who are retired or who are going to retire trying to gain the favour of the Executive and I have been raising this question on the floor of this House in my humble way on various occasions namely that the appointment of the retired judges to various posts which are under the patronage of the Executive has made definite inroads into judicial independence and judicial integrity in the country We find that a retired Chief Justice and the judges of the Supreme Court often become arbitrators in respect of matters where the Government is a party at a fat fee, and our judges are also trying to carry favour of the Executive to head this or that Commission Judges are also very eager to be-

[Shri Somnath Chatterjee]

come Members of the Law Commission. Although during their tenure they have never delivered an illuminating judgment they seen to become the repository of the legal wisdom in this country to be taken straightway to the Law Commission. We do not want this type of judicial independence and judicial impartiality. What is happening throughout the country is this. Most of the retired Supreme Court Judges to-day are employed; whether they reach the age of 70 or 75 that does not matter. But, what is found for them is enough to last for years together so that they can continue to draw the same salary.

Therefore, we submit one thing. The people who are really concerned about their fundamental rights and whose rights are daily being affected wanted a guarantee under the Constitution of their right to living wage of the right to work, etc. But they have been denied these rights.

So far as implementation of the Directive Principles in the Constitution are concerned, in this country, whatever little right has been given, it has repeatedly been denied. Inroads have been made by the courts even in the limited spheres. When we find that the Supreme Court is going on violating what can we do? We remember Supreme Court giving time so that amendments could be brought forward by Government to nullify the effect of the judgment that was given striking down certain provisions of the Maintenance of Internal Security Act. We have seen it—I am sure, Shri Gokhale will agree with me—that a sort of tussle goes on in the matter of Industrial Tribunal Act. When there is a dispute between the workmen and employers or when there is a dispute between the big business men and their employees and when there are disputes or when there are habeas corpus procedings and when there are such Draconian laws, what is the attitude that is taken? We say we have no special feelings of being enamoured about the courts in this country. Therefore, we suggest that the people should be the greatest beneficiary of the legal system in this country—common people. I feel that the people's voices should be accounted in the matter of selection of judges and the appointment of judges since we have no forum of election of judges in this country.

I cannot support the mover of this Bill who has brought forward this Bill. The Government should bring forward such a Bill so that we can have the views of the people's representatives in this country as to the suitability or otherwise of the judges of the Supreme Court or the Chief Justice of Supreme Court. Therefore we do not support the principle that is put forward in this Bill as it is unworkable. We also do not want to give uncontrolled power to the Government to make choices on the basis of their unexplained suitable social philosophy which our great and learned friend the late Mr. Mohan Kumaramangalam put forward on the floor of this House.

So far as the Law Commission's recommendations are concerned, they have been referred to by my hon. friends Shri Atal Bihari Vajpayee and also Shri Dinesh Chandra Goswamy. It is no doubt true that the Government of this country never thought of implementing the Law Commission's recommendations made in 1953. They were sought to be made handy for the purpose of justifying a decision which might otherwise not be fully justifiable. The principle laid down by the Law Commission is that they should be

persons of sturdy independence and towering personalities and watchdogs of democracy. We do not want that these matters should be left completely in the hands of the executive whose *bona fides*, I am sorry to say, are not always not suspect, or that these matters should be decided in the corridors of power in the South Block or the North Block or wherever it may be. Therefore, these are matters on which we want that the people's representatives should give their views. When we have found that in cases of democratic urges and aspirations of the people, their rights are being taken away, at least, let them have this right that their cases or their affairs or their difficulties or their disputes may be decided by judges, in whom they have faith, and about whose choices and appointments and selections, the people's representatives have had something to say.

Otherwise, a mere constitutional provision regarding the method of appointment of judges will not cure the defects that have crept in in the judicial body of this country

So far as we are concerned, we express our opposition to this Bill, but we say at the same time that some method should be found out, and we certainly do not wish to give to Government absolute and unchecked power to ppoint judges as they are now claiming.

श्री नवल किशोर शर्मा (दौसा) : सभापति जी, मैं बाजपेयी जी के इस एक लाइन के विधेयक, कांस्टीट्यूशन (अमेन्डमेन्ट) बिल, के सम्बन्ध में विरोध स्वरूप खडा हुआ हू । बाजपेयी जी का यह सशोधन विधेयक ऐसा हैं कि जिस के जरिए से सुप्रीम कोर्ट का सीनियर मोस्ट जो जज होगा वह सुप्रीम कोर्ट का चीफ जस्टिस बन सकेगा । अभी बाजपेयी जी स्वय कह रहे थे कि जस्टिस इमाम के मामले मे एक ऐसा वक्त आया जब चूंकि वे शारीरिक तरीके से अस्वस्थ थे, इसलिए उन को सुपरसीड कर के दूसरे जज को चीफ जस्टिस बनाया गया और इस बात का उन्हो ने समर्थन भी किया कि वह वाजिब था लेकिन उन का स्वय का जो कान्स्टीट्यूशनल अमेन्डमेन्ट बिल है वह तो इस प्रक्रिया को भी समाप्त कर देता है इस बिल को यदि स्वीकार किया जायेगा उस का नतीजा यह होगा कि कोई भी जज जो सीनियरमोस्ट हो वह भले ही शारीरिक तरीके से अस्वस्थ हो, दिमागी तरीके से उस की हालत ठीक न हो तो भी वह चीफ जस्टिस अपने आप बन जायेगा । (व्यवधान)

तो मैं यह कह रहा था कि मेरी समझ में नही आता कि इस तरह का बिल बाजपेयी जी जैसे समझदार आदमी ने कैसे पेश कर दिया । वैसे वे भविष्यवक्ता बनने की बात कह रहे थ कि 1971 मे ही उन्हो ने इस बात का अन्दाज लगा लिया था कि ऐसा कुछ होगा लेकिन इस साधारण से बिल मे उन्हो ने इस बात की कोई गुजाइश नही छोडी कि सरकार को ऐसे अवसरो पर भी कोई डिस्क्रीशन होना चाहिए । यह तो इस बिल की बात रही ।

इस बिल के साथ साथ उन्हो ने जिस तरह की एप्वान्टमेन्ट की फिलास्फी की बात की और इस देश में पिछले दिनो जो सुप्रीम कोर्ट के जजेज का सुपर्सेशन हुआ, उस के सम्बन्ध मे जो कुछ हुआ, उस की चर्चा करते हुए कहा कि इस से देश मे न्यायपालिका मे जो लोगों की आस्था हैं वह डगमगा गई—मैं उन की इस राय से सहमत नही हू । मैं यह जरूर मानता हू कि न्यायपालिका को स्वतन्त्र रहना चाहिए, उस को स्वतन्त्रता मे कोई दखलअन्दाजी नही होनी चाहिए और उस को स्वतन्त्र तरीके से काम करने की गुंजाइश होनी चाहिए । लेकिन केवलमात्र यह कह देने से कि सुपर्सेशन हो गया किसी एक जज का या दो जजों के बजाये किसी तीसरे व्यक्ति को चीफ जस्टिस बना दिया गया इस से न्यायपालिका की स्व-

[श्री नवल किशोर शर्मा]

तन्त्रता में कहीं बाधा पैदा हो गई—यह बात मेरी समझ में नहीं आती। मैं यह मानता हूं कि न्यायपालिका का एक फर्ज है, एक दायित्व है, न्यायपालिका खाली इसलिये नहीं है कि वह कानून को जैसा चाहे वैसा इन्टरप्रेट करे। मैं इस बात से सहमत हूं कि इन्सान की खुद की एक फिलास्फी होती है, हर एक आदमी की अपनी फिलास्फी होती है। बाजपेयी जी की भी अपनी फिलास्फी है और वे उसी फिलास्फी के आधार पर अपनी बात सदन में रखते है। अभी हमारे मित्र चटर्जी बोल रहे थे, उन की भी अपनी एक फिलास्फी है जिस के आधार पर वे अपनी बात कहते हैं। श्री पी० के० देव साहब बोलेंगे, उन की भी अपनी एक फिलास्फी है जिस के आधार पर वे कहेंगे। मैं मानता हू कि जजेज की भी अपनी एक फिलास्फी होती है और जजेज की अपनी फिलास्फी होने के कारण ही तो एक जज एक तरीके से सोचता है और दूसरा जज उसी बात को दूसरी तरह से सोचता है। इस कारण जजेज की राय भी कांफ्लिक्टिंग होती है, उन में भी मतभेद होता हैं। इसलिए जहां तक फिलास्फी का ताल्लुक है, उन में भी मतभेद होना है। इसलिए जहां तक फिलास्फी का ताल्लुक है, कास्टीट्यूशनलमामलों में वह बड़ा अहम रोल प्ले करती है उस की बड़ी अहमियत होती है। फिर जिस तरह की फिलास्फी के जजेज होंगे वैसा ही कांस्टीट्यूशनल मामलों में उन का दृष्टिकोण भी होगा अपना फैसला देने में। इस लिहाज से मैं स्वर्गीय कुमारमगल जी की राय से इत्तफाक करता हूं कि जजेज की फिलास्फी एक इम्पार्टेन्ट बात है जिस पर हम को सोचना पड़ेगा, पार्लियामेन्ट को सोचना पड़ेगा कि जज जिस तरह से सोचते हैं अगर उन की फिलास्फी देश की तरक्की में बाधक होती है, यदि उन की फिलास्फी देश को आगे ले जाने में बाधक होती हैं, देश में उन मामलों को लागू करने में बाधक होती हैं जिन के जरिए से देश आगे बढ़ सकता है, जिन के जरिए से देश के मसले और सवालात हल हो सकते हैं तो मैं समझता हूं वे जज जज रहने के लायक नहीं हैं। ऐसे मौके पर हम को फैसला करना पड़ेगा कि हम किस जज को पसन्द करें। इसलिए इस हद तक मैं स्वर्गीय कुमारमंगलम साहब की राय से इत्तफाक करता हूं लेकिन मैं यह जरूर मानता हू कि यह सब होते हुए भी जूडीशियरी इन्डेपेन्डेन्ट रहनी चाहिए। खाली किसी आदमी को हटाकर उसकी जगह दूसरे को चीफ जस्टिस बना दिया गया इससे न्यायपालिका में लोगो की आस्था गिरती है, मैं इस बात को नहीं मानता यही कारण है कि हमारे इस संविधान के निर्माताओं ने संविधान बनाते समय इस बात की छुट्टी रखी, इस बात को खुला रखा। बाजपेयी जी कह रहे थे शायद उन्हीं ने सोचा था कि अच्छी परम्परएं कायम होंगी, अच्छी परम्पराओं के मुताबिक यह काम किया जायेगा तो हम ने अच्छी परम्परायें कायम की हैं और अच्छी परम्पराओ के आधार पर ही हम चल रहे हैं। हम किसी जज को बिना किसी मतलब के सुपरसीड करना नहीं चाहते हैं। लेकिन अगर कोई कारण है तो उस अवस्था में इस तरह का प्रावधान लाने का मतलब यह होगा, बिल का समर्थन करने का मतलब यह होगा कि कोई चाहे शारीरिक तरीके से अस्वस्थ हो उसको चीफ जस्टिस इसलिए बना देना होगा कि वह सीनियर मोस्ट है। सरकार और न्यायपालिका के सम्बन्धो का यह झगड़ा नहीं है। यह झगड़ा असल मे मूलभूत अधिकारो का है, इस बात का है कि सरकार द्वारा पारित कानूनों का इंटरप्रेटेशन किस तरह से किया जाता है, कानून जो लोगो के मूलभूत अधिकारों से सम्बन्धित है उनका इंटरप्रेटेशन किस तरीके से किया जाए, किस फिलोसोफी के साथ किया जाए। मुझे स्पष्ट कहने में कोई हिचकिचाहट नहीं है कि सरकार ने इस दृष्टिकोण से जो कदम उठाया है वह सही उठाया है और यह विधेयक इसीलिये ना मंजूर किये जाने लायक है। ला कमीशन ने इस बातको सपोर्ट किया है

उसने कहीं नहीं कहा कि स्वतन्त्रता के ऊपर किसी तरह की पाबन्दी होनी चाहिए, निष्पक्षता के ऊपर किसी तरह की पाबन्दी होनी चाहिए। जहां तक 1958 के लागू करने की बात है, उस वक्त इसकी जरूरत नहीं समझी गई। सरकार ने आज जरूरत महसूस की और उसके अनुकूल कार्य कर दिया। इसको आप घोषणा मान लें अब। क्या फर्क पड़ गया? आगे के लिए तो रास्ता खुल गया है। मैं समझता हूं कि इस बिल का कोई भी सदन का समझदार व्यक्ति समर्थन नहीं करेगा। नासमझों की बात मैं नहीं कहता।

श्री दरबारा सिंह (होशियारपुर): वाजपेयी जी ने एक बार फिर इस सवाल को सदन में खड़ा किया है जिस पर काफी बहस हो चुकी है। हम समझ हैं कि इस एमेंडमेंट से कोई फर्क नहीं पड़ेगा। बल्कि वे सारे रास्ते खुल जायेंगे जिससे तमाम हालत दरहम बरहम हो जाए। जो हमारा संविधान है उसके बिल्कुल खिलाफ ये काम करवाना चाहते हैं। इस वास्ते मैं इसके खिलाफ बोलने के लिए खड़ा हुआ हूं।

डा० अम्बेदकर ने जब कांस्टीट्यूशन को शक्ल दी उस वक्त कहा था कि हम मिडिल कोर्स एडाप्ट करना चाहते हैं, जम्हूरी निज़ाम के मुताबिक करना चाहते हैं। हमें हर बात में दूसरे देशों की नकल नहीं करनी है बल्कि अपने हालात के मुताबिक हम को अपने कांस्टीट्यूशन को बनाना है। जहां तक चीफ जस्टिस एप्वाइंट करने की बात है साफ तौर पर यह कहा गया है कि यह अधिकार प्रेजीडेंट को होगा। लेकिन साथ ही यह भी कहा गया है कि यह जरूर है कि जजों के एप्वाइंटमेंट के लिए चीफ जस्टिस को कंसल्ट किया जाए। वाजपेयी जी ने जो यह कहा है कि कांस्टीट्यूशन साइलेंट है, यह गलत बात है। ये दोनों चीजें क्लीयर ली लिखी हुई हैं। परम्परा जो अभी तक कायम है उसको तोड़ने के लिए आप क्यों कह रहे हैं? साफ इसमें लिखा हुआ है कि प्रजीडेंट को अधिकार है कि वे चीफ जस्टिस को एपाइंट करें और जजों को एपाइंटमेंट का जहां तक सम्बन्ध है, चीफ जस्टिस को कंसल्ट किया जाए। चीफ जस्टिस की एप्वाइंटमेंट के लिए यह कहना कि जो चला आता है नीचे उसको ले लो फिर वह चाहे किसी भी हालत में हो, शारीरिक तौर पर फिट न हो, किसी भी अवस्था में हो, सको ले लो और यह चलता रहे तो हम इसके विरुद्ध हैं। हमारा समाज बदला है। आज का समाज गुजरे हुए कल से बिल्कुल मुख्तलिफ है। 1947 के बाद से उसमें जो तबदीली आई है, सोचने में आई है। मुल्क डिवेलपमेंट की तरफ बढ़ा है। बिल्कुल रिजिड तौर पर हम सोच नहीं सकते हैं। काम कर नहीं सकते हैं। उससे हम पीछे पड़ जाएंगे। देश में हालात बदले हैं, लोगों के सोचने में फर्क आया है और आगे और ज्यादा आयेगा। जैसे जैसे मुल्क आगे बढ़े समाज में तबदीली आनी चाहिए, खयालात में तबदीली आनी चाहिये और जो उन खयालात का इंटरप्रेटेशन करने वाले हैं वे अगर इस तबदीली को नहीं देखते हैं —मैं किसी का नाम नहीं लेना चाहता—तो किया क्या जाए, यह सवाल है कितने ही मैंशर्ड को स्ट्रक आफ किया गया है। कांस्टीट्यूशन में वाजह तौर पर कहा गया है कि हम चाहते हैं कि जो दलित लोग पिछड़े हुए लोग हैं, बैकवर्ड लोग हैं या ऐसे इदारे हैं जिनको पीछे फेंका हुआ है, उनको आगे लाने के लिए, उनको डिवेलप करने के लिए क्या क्या चीज करनी चाहियें। अब उसके रास्ते में रुकावटें पड़ी हैं। फलसफे का कोई सवाल नहीं है। लेकिन कुछ लोग हैं जो स्टेटस को के हक में हैं। मैं एक उदाहरण देना चाहता हूं। देश में आज फ्लड्ज आए हुए हैं। एक नाला निकालना है। अगर एक आदमी जाकर कहता है कि यह नाला नहीं निकलने दूंगा और गलत तौर पर कहता है और उस मामले का छः साल तक फैसला नहीं होता है तो

[श्री दरबारा सिंह]

क्या अन्दर ही अन्दर कोई फलसफा काम नहीं कर रहा होता है। स्टेटस को जो चाहते हैं फिर वह इलाका चाहे सारा खराब हो जाए, उनका क्या किया जाए। ह बात का रिएक्शन होता है। कोई भी ऊपर से गिरा हुआ नहीं है, गाड नहीं है। ऐसी बात नहीं है कि कोई चीज किसी के दिमाग पर रिएक्ट नहीं करती है। हर चीज का रिएक्शन हर किसी पर होता है। उनके अपने तौर से समझे हुए कुछ खयाल। हैं, उन खयालात का इजहार वे अपनी जजमेंट्स में करते हैं, इस में शक नहीं है। इसको हम देख रहे हैं। आप चाहते हैं कि स्टेटस को जो कायम है, जो उसका इजहार करते हैं, जो राजी बोंदा फिलोसोफी है, उस पर चिपके रहना चाहते हैं और उनके मुताबिक फैसले करना चाहते हैं तो उसके हक में हम नहीं हैं, आप हो सकते हैं। इंडिपेंडेंट तौर पर कोई चीज करें, इसमें कोई दो राय नहीं हैं। देश को आगे ले जाने के लिए तो निहायत जरूरी चीजें दिखाई देती हैं वे तो होनी ही चाहिये। हम यह नहीं कहते हैं कि फैसला इस तरह से नहीं इस तरह से करो। उनकी इंडिपेंडेंस में भी कोई दखल देना हम नहीं चाहते हैं, कतई नहीं चाहते हैं। लेकिन हम यह जरूर चाहते हैं कि आदमी समाज को समझे, देश को बनाने के लिए डा० अम्बेदकर ने सब से ज्यादा कोशिश की है और कहा है कि समी हि दुस्तान के लोगों को एक लेवल पर खड़े करने की जरूरत है और ऐसा करने लिए जो भी फैसले हों, इसके अनुरूप होने चाहिये न कि खिलाफ।

वाजपेयी जी कल कह रहे थे कि मैं मनुस्मृति को नहीं मानता। इसको सुन कर हमें आश्चर्य हुआ। पता नहीं बाहर मानते हैं या नहीं। लेकिन हां कहा कि वे उसके खिलाफ हैं, इसको नहीं मानते हैं। अगर नहीं मानते हैं तो अनटचेबिलिटी खत्म होनी चाहिये।

आज व यह क्यों कहते हैं? इसलिए कहते हैं कि देश आगे बढ़ा है, पुराने खयालात में से निकल कर आगे बढ़ा है। इसको और आगे बढ़ना है, आगे बढ़ते जाना है। अगर आगे देश निकलना चाहता है तो स्टेटस को के हक में कतई कोई न हो सकता है। स्टेटस को हमें पीछे की तरफ ले जाता है, हमारे भविष्य को रोशन बनाने के बजाय तारीक बनाता है। हम यह नहीं चाहते हैं। इन अल्फाज के साथ मैं इस बिल की मुखालिफत करता हूं।

MR. CHAIRMAN: The time allotted for this Bill is two hours. So, we have to finish it today. But the list of members who want to speak contains many names. So, do you want the time to be extended?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, I consulted some of the leaders who are present here. The consensus is that we may extend the time for this Bill by two hours.

SHRI P. K. DEO (Kalahandi): Mr. Chairman, prior to Shri Vajpayee's Bill, in 1971 I tabled a similar Bill, namely, Bill No. 74 of 1971, in the Statement of Objects and Reasons of which I had stated:

> "The Constitution of India does not lay down any procedure for the appointment of the Chief Justice of the Supreme Court....The appointment of the Chief Justice of the Supreme Court is within the discretionary power of the President who acts on the advice of the Council of Ministers. It is therefore, high time that the procedure for the appointment of Chief Justice of the Supreme Court is laid down."

So, as early as 1971 I had anticiapted the things to come. We knew very well the Sinister motives of the Government to scuttle the rule of law and rob the independence of the judiciary in the Constitution. Now the events have unfolded themselves. You will appreciate that it is now time to have a healthy convention. The healthy conventions of the past were thrown to the winds by the ruling party when three Supreme Court Judges were superseded and a junior Judge was appointed as Chief Justice and the entire thing was kept a secret till the 25th of April, 1973. I may say subject to correction that the retiring Chief Justice, Shri Sikri, had also recommended to the Government that his successor should be Justice Shelat.

Here I would like to point out a coincidence of incidents. The judgment in the great constitutional case was delivered just a day before the appointment of the Chief Justice. While the hearing was going on, both the Attorney-General and the counsel for Kerala Government said in the open court that the alternative would be a political solution." We have now seen what was the political solution they had in view.

The injustice to the three individuals who have been passed over is of minor significance. What is important is the principle involved. This action of the Government evoked spontaneous anger and disgust throughout the country, as has been manifested by the boycotting of the courts by the practising lawyers and the near-unanimous resolutions passed by every Bar Council in this country condeming the action of the Government.

The question is whether the appointment of Justice Ray was on considerations of calibre, merit and seniority as compared to the three superseded Judges or whether it was a question of sacrificing three independent judges at the altar of expediency because of their independent views and intellectual integrity.

On the 24th of April the Supreme Court held by a majority judgment in that marathon Constitutional case that Parliament had no power to amend the Constitution in such a way as to alter the basic structure of the framework of the Constitution. The contention of the Government was rejected by the majority of the Judges, including these three Judges. Prior to this, in the Supreme Court case No. 148 in March 1972 in the case Raj Narain Vs. Indira Nehru Gandhi Justice Hegde held that the lower court, that is, the Election Tribunal, is wrong in striking out issue No. 1 and ordered the Election Tribunal to reframe the issue. The issue was the resignation of Mr. Yashpal Kapoor who was the election agent of Mrs. Indira Gandhi. The resignation was accepted on the 25th June, 1971 by the President as notified in the Gazette of India of 6th February, 1971. But the trial judge gave it a retrospective effect from 14th June. Against the decision of the Election Tribunal, Mr. Raj Narain went to the Supreme Court. According to the decision of the previous case of Raj Kumar vs. the Union of India, the date of resignation of service has to be determined from the date on which it is accepted by the appropriate authorities. Accordingly, the resignation of Mr. Yashpal Kapoor should be taken to have taken effect from 25th January. That will invalidate the election of Mrs. Indira Gandhi to the Lok Sabha. Not only that. It will, further, bar her to contest the elections because of having resorted to mal-practices and corrupt practices under Section 123 of the Representation of People's Act. This must have piqued the Prime Minister.

Another reason for the supersession of three Judges and the appointment of Justice Ray as the Chief Justice of the Supreme Court is this. Now, the question arises about the constitution and the composition of the Constitution Bench. The Special

[Shri P. K. Deo]

Bench has enunciated the law so far as the Parliament's Power is concerned. So, to give interpretation or to come to a decision on the various issues that have been raised in the Swami Keshvanand, Bharati's case, a Constitution Bench has to be formed. Who is to form a Constitution Bench? The Chief Justice of the Supreme Court is the proper authority to form a Constitution Bench. So, to get a decision in their favour, they appointed the Chief Justice of their own choice. That is why the Government thought it fit at this opportune moment to appoint him so that the dice could be loaded in their favour. When the issues have not been decided, even though the law has been formulated, they decided that they must have a Chief Justice of their own choice.

Another reason, according to me, is that there is the criminal contempt of court proceedings pendings against late Shri Mohan Kumaramangalam and Shri S. S. Ray in the Supreme Court, thereby putting them in a very difficult position with a possibility of imprisonment.

So, taking all this into consideration, it must have weighed on the Government to have a Chief Justice according to their own choice.

In this country, the ruling party is in the habit of maligning the court and they find convenient scape-goats in the judiciary for their various failures and lapses. Recently, Shri Shankar Dayal Sharma, the President of the Congress Party, has been served a notice by the Bombay High Court for his public utterances, denigrating the judiciary. Taking all these things into consideration, the whole thing has been done in a very hush-hush manner. It is an unpleasant duty of ours that we shall have to say all these unpalatable things.

Now, the convetions have been cited. Every country has its own conventions. In this country, for 25 years after Independence, we created a convention that the senior most judge would be the Chief Justice of the Supreme Court. There has been only one departure—in the case of Mr. Justice Imam who was incapacitated due to a stroke and the loss of power of speech. In UK also they have their own convention. The Attorney-General is first offered to become the Chief Justice. So, that practice is followed in that country. There has been only one departure in the case of Marrington Buller when he could not be appointed as the Chief Justice as the retiring Chief Justice Lord Goddard stood in the way. So far as Australia is concerned, there is a similar convention but they even go a step further that while appointing the Chief Justice, they appoint the next Chief Justice also so that he can get sufficient length of time. This thing has been cited by the previous speaker also. But I would like to point out that in this case if Mr. Justice Grover would have been appointed, he would have retired much after Mr. Justice Ray. So, there is absolutely no justification to supersede Justice Mr. Grover on this account.

The question of administrative ability was mentioned by Mr. Goswami in this regard. I would like to mention that two of these three superseded Judges were Chief Justices of High Courts. One was the Chief Justice of the Delhi High Court and the other was Chief Justice of the Gujarat High Court.

While making various apologies and giving explanations, Mr. Gokhale cited the Law Commission and he cited a truncated and mutilated version of the Law Commission's report so as to suit his convenience. The very fact that even the very members and the Chairman of the Law Commission like Mr. Setalvad and members, Mr. Sikri Mr. Palkhiwala and Mr. Chagla have all condemned this action of the Government goes to prove that the Government have not

gone deep into the matter and they have not considered all the aspects of the Law Commission's report and rather they picked and chose whatever suited them. On the other hand I appreciate the assertion of the late Mr. Kumaramangalam though we differed from him on various points. He called a spade a spade. He never minced his words. He stated that the Chief Justice would 'help' the Government and his 'political philosophy is most suitable from the executive view point'.

Judges during pre-Independence days used to adjudicate cases and controversics between private persons but after Independence and after the involvement of the State in various socio-economic fields, most of the cases are against the Government and when Government itself is a party in the case, how can the Government be an appointing authority?

SHRI M. RAM GOPAL REDDY (Nizamabad): It is a repetition of what Mr. Vajpayee has said.

SHRI P. K. DEO: The hon. Member was not here.

SHRI PILOO MODY (Godhra): What do you people say all the time anyway: "under the dynamic leadership of Shrimati Indira Gandhi and the Deputy Leadership of Mr. A. P. Sharma?

SHRI P. K. DEO: So when Government is a party, it makes my case still stronger that there should be an independent judiciary which should be properly insulated against all kinds of pressure from the Government and not to give the so-called 'help' to the Government. A Judge once elevated to that high pedestal should shed his political philosophy and be upright and independent and should have his own freedom judgment. We do not want our courts to be Star Chambers of the kings.

Very often it is stated by the Treasury Benches that it is the prerogative of the Government to appoint the Chief Justice. The word prerogative itself is feudal and it could be used only by kings, dictators and fascists and I am surprised that those who swear by democracy and by socialism repeat such words. It is only typical of the communist countries, to speak of committed judges. A judiciary committed to the particular philosophy of one party is possible only in the party system, only if there is only one party rule. There is no possibility of having a second party there. There can be committed judges there. Where there are different parties, where there can be change of Governments, how can we expect this thing to happen? Do you want him to be a chemillion to change secording to the political philosophy of the party in power? In our country especially we have got a federal set up and there are States where the party in power is quite different from the party in power at the Centre. There are different parties in different States and how can you expect that the judge or Chief Justice of that High Court will subscribe to the political philosophy of any particular party? I would like to quote a sentence from Mr. Palkhivala. He said:

> "A committed judge is a contradiction in terms You cannot have a committed judge any more than you can have boiling ice cream. Either a man is committed or he is a judge in the true sense. He cannot be both."

I quote from "Supersession of Judges" by Kuldip Nayar. He said:

> "At the time of oath-taking ceremony Kumaramanglam went to Ray and told him "Such posts are a reward for political services rendered." Ray replied: "I don't recall rendering any poitical service to any body except to truth and Justice."

SHRI B. P. MAURYA (Hapur): He is not here to reply, this is not fair.

SHRI P. K. DEO: I want this to be contradicted. Mr. Kumaramangalam is not here, but I hope somebody from the Treasury Benches could contradict it. Gone are the days of Pandit Jawaharlal Nehru who as early as 1951 when Patna High Court have an adverse decision in regard to the Bihar Zamindari Abolition Case, wrote to the Chief Ministers of States as follows:

> "It is obvious that the interpretation of the Constitution is the function of the superior courses. We have to respect the decisions of the Courts for, not to do so, is to strike at the very root of our constitutional structure."

With these words, I fully support the Bill which has been moved by Shri Vajpayee.

17 Hrs.

श्री वसन्त साठे (अकोला) : सभापति जी, आज जो यह विधेयक श्री अटल विहारी वाजपेयी जी ने यहां प्रस्तुत किया है, देख कर हमें सचमुच आश्चर्य होता है कि वाजपेयी जी सरिखे विद्वान ने केवल राजनीतिक उद्देश्य से भरे हुए इस विधेयक को यहां पेश किया। इस के बारे में जितनी चर्चा होनी चाहिये थी, वह तो पिछली दफा हो चुकी है, अब पुनः इस को यहां ला कर फिर से उसी बात को जिन्दा करने का प्रयत्न किया जा रहा है । पिछली चर्चा को दृष्टि में रखते हुए तो उन्हें ऐसे बिल को लाना ही नहीं चाहिये था । मेरी समझ में यह बात नहीं आती—यदि इस बिल को जिस रूप में यह लाया गया है, वैसा ही मान लिया जाय तो वे खुद इस बात को मानते हैं कि इस से कुछ ऐसी तर्कहीन बातें निर्माण होंगी, ऐसी परिस्थिति निर्माण होंगी, जिसमें यदि कोई सुप्रीम कोट का न्यायाधीश, उस की सेहत के कारण, मानसिक किसी दोष के कारण अपात्र हो, फिर भी उसे सुप्रीम कोट का जज बनाना होगा । वह कहते हैं कि वह खुद इस्तीफा देगा । जो व्यक्ति मानसिक दृष्टि से अपात्र हो यदि उसे इस्तीफा देने का ख्याल न आये तो फिर क्या किया जाये । लेकिन वाजपेयी जी के इस प्रावधान में अपवाद की भी कोई गुंजाइश उन्होंने नहीं रखी । इस विधेयक में जहां तक शुद्धता की बात है, मैं तो इस में कोई तर्क नहीं देख पाता हूं ।

इस के पीछे जो उद्देश्य है—उस के सम्बन्ध में उन्होंने कहा कि यह बिल इस लिये लाया गया है कि पिछले समय यह बात साफ हो गई थी राजकीय उद्देश्य को सामने रख कर सरकार नियुक्ति करती है और नियुक्ति करेगी, ऐसी हम को आशंका है । इस से जजेज की जो स्वतन्त्रता है, उस पर कुठाराघात होगा । आप देखिये—इस के सम्बन्ध में हमारे स्वर्गीय कुमार मंगलम का कथन क्या था । उन्होंने जो तर्क यहां पेश किया था, जिस दर्शन की उन्होंने यहां बात की थी—यद्यपि वाजपेयी जी ने उस को तोड़-मरोड़ कर यहां पेश किया और कहा कि सरकार का समर्थन करने की बात उन्होंने कही थी—मैं स्पष्ट करना चाहता हूं कि ऐसा उन्होंने नहीं कहा था । उन्होंने कहा था —"जब हम फिलास्फी की बात कर रहे हैं तो किसी पार्टी की फिलास्फी की बात नहीं कर रहे हैं । जिस बात की आप शपथ लेते हैं, जिस सिद्धान्त के लिये निष्ठा बतलाते हैं, उन सिद्धान्तों की, उन तत्वों की, उन मूल्यों की हम बात कर रहे हैं ।"

आप देखिये—यह झगड़ा कहां से शुरू हुआ । गोलखनाथ केस से लेकर, उस के पहले भी कुछ केसेज हुए हैं और उस के बाद भी लगातार हुए हैं । जब यह देखा गया कि जो मूलभूत उद्देश्य हैं, उन को देख कर, उन को सामने रख कर, उन से निष्ठा रखते हुए भी जेजज न्याय-दान नहीं करते हैं, तो फिर सरकार और देश का

पालियामेन्ट के सामने यह सवाल पैदा हुआ कि अब हमें क्या करना चाहिये ।

आप देखिये—धारा 37 में कहा गया है— "इस भाग में दिए गए उपबन्ध किसी न्यायालय द्वारा प्रवर्तनीय न होंगे, किन्तु तो भी इस में दिए हुए तत्व देश के शासन में मूलभूत हैं और विधि बनाने में इन तत्वों का प्रयोग करना राज्य का कर्त्तव्य होगा ।"

यदि राज्य का कर्त्तव्य इन मूलभूत तत्वों के अनुसार कानून बनाना होगा तो क्या न्यायालयों का कर्त्तव्य इन तत्वों को सामने रख कर न्याय देना नहीं होगा ? ये फण्डामेन्टल हैं.....

SHRI PILOO MODY: Fundamental in the governance of the country.

SHRI VASANT SATHE: And also fundamental in the judgments to be given, as a guideline.

आप धारा 39 को देखिये—

"राज्य अपनी नीति का विशेषतया ऐसा संचलन करेगा कि सुनिश्चित रूप से—

(क) समान रूप से नर और नारी सभी नागरिकों को जीविका के पर्याप्त साधन प्राप्त करने का अधिकार हो :

(ख) समुदाय की भौतिक सम्पत्ति का स्वामित्व और नियंत्रण इस प्रकार बटा हो कि जिस से सामूहिक हित का सर्वोत्तम रूप से साधन हो :

(ग) आर्थिक व्यवस्था इस प्रकार चले कि जिस से धन और उत्पादन साधनों का सर्वसाधारण के लिये अहितकारी केन्द्र न हों :

आप देखिये कि जो जो कानून आप ने बनाये, जिन कानूनों का उद्देश्य इन मूलभूत उद्देश्यों की पूर्ति था—आप ने बैंकों का सम्ट्रीयंकरण का कानून बनाया, राजा-महाराजाओं के जो विशेषाधिकार थे उन को छीन लेने या उन पर रोक लगाने का कानून लाये तो इन न्यायालयों ने, इन उद्देश्यों का उन्हें ज्ञान होते हुए भी, क्या निर्णय दिया, हमेशा इन उद्देश्यों इन मूलभूत अधिकारों के विपरित निर्णय दिया ।

धारा 19 में केवल एक अधिकार था, जिस को बड़ा नाजायज़ महत्व दिया गया, जिस में यह कहा गया है —"सब नागरिकों को—सम्पत्ति के अर्जन, धारण और व्ययन का —अधिकार होगा ।" यह जो अधिकार यहां दिया गया है, उस की पूर्ति के लिये धारा 39 में कानून बनाने का अधिकार दिया गया है । लेकिन हमारे सुप्रीम कोर्ट के जजों ने वहां बैठ कर यह कहा कि नहीं यह उस मूलभूत अधिकार के खिलाफ है जो 19 में दिया गया है, इस लिये हम इसे रद्द करते हैं ।

श्री पीलू मोदी : पालियामेन्ट को ऐसा कानून पास ही नहीं करना चाहिये था, फिर सुप्रीप कोर्ट में जाने की जरूरत ही नहीं पड़ती ।

सभापति महोदय : आप उन से कुछ न कहिये, मझे से कहिये ।

SHRI PILOO MODY: Will you convey faithfully what I want to say to him?

MR. CHAIRMAN: Absolutely.

श्री बसंत साठे : सभापति जी, पीलू मोदी जी को मालूम नहीं है—कल ये कह रहे थे कि मुझे "पथ प्रधान" बना दो। यदि ये बन जाय तो धारा 39 की पूर्ति कैसे करेंगे। ये जितने कानून बनायेंगे, न्यायाधीश उन को रद्द कर देंगे।

SHRI PILOO MODY: What is 'Panthpradhan?

MR. CHAIRMAN: It means 'Prime Minister'.

SHRI SOMNATH CHATTERJEE: Why does he not include article 39 in the Chapter on Fundamental Rights?

SHRI VASAN SATHE: Would my hon. friend do that?

SHRI SOMNATH CHATTERJEE: Would he also do that? Let him not take shelter behind the courts.

SHRI PILOO MODY: His party has the two-thirds majority.

श्री बसंत साठे : तर्क यह है कि ये जो सारी कठिनाइयों का निर्माण हुआ है, उस में सुप्रीम कोर्ट के न्यायाधीशों ने बारबार इस तरह के निर्णय दिये, जिन निर्णयों से या कानून के जो उद्देश्य हैं उन की पूर्ति होना असम्भव हो गया और इस तरह से वे उस शपथ के प्रति ईमानदार नहीं रहे, जो शपथ उन को लेनी होती है—यह शपथ शेडयूल 3 में दी गई है— उच्चतम न्यायालय के न्यायाधीशों...द्वारा की जाने वाली शपथ :

"मैं.....अमुक....., जो भारत के उच्चतम न्यायालय का मुख्य न्यायाधीश नियुक्त हुआ हूं ईश्वर की शपथ लेता हूं कि मैं विधि द्वारा स्थापित भारत के संविधान के प्रति सच्ची श्रद्धा और निष्ठा रखूंगा, तथा मैं सम्यक् प्रकार से और श्रद्धा-पूर्वक तथा अपनी पूरी योग्यता, ज्ञान और विवेक से अपने पद के कर्त्तव्यों को भय या पक्षपात, अनुराग या द्वेष के बिना पालन करूंगा, तथा मैं संविधान और विधियों की मर्यादा बनाए रखूंगा।"

मेरा यह कहना है कि शपथ लेने के बाद जो न्यायाधीश मूलभूत कानून के सामने जस्टिफिएबिल न हो, पर मूलभूत तो वह है जो 39 में दिए गए हैं उन मूलभूत हकों का जो संरक्षण न करे न्यायाधीश जो समयिदार लोग पूंजीपति लोग और देश को लूटने वाले लोगों के पक्ष में न्यायदान करे तो क्या वह ईमानदार हैं इस घटना के साथ ? तो फिर क्या प्रेसीडेन्ट को जो अधिकार दिया गया है नियुक्ति करने का उसमें प्रेसीडेन्ट यह न देखे कि कौन से न्यायाधीश—जो आज तक उन्होंने निर्णय दिए हैं उनको सामने रखते हुए —कौन से न्यायाधीश का दृष्टिकोण वृत्ति दर्शन, प्रवृत्ति और बुद्धि की मर्यादा किस प्रकार की है जिससे संविधान में जो उद्देश्य दिए हैं उनकी वह पूर्ति कर सके ? ऐसे ही न्यायाधीश को मुख्य न्यायधीश बनाना चाहिए, ऐसा यदि इस देश का राष्ट्रपति सोचे तो उसमें गलत क्या है ? और यह अधिकार संविधान ने राष्ट्रपति को दिया है तो उसमें डर क्या है ? (**व्यवधान**)

मैं आखिरी बात कह कर अटलजी के तर्क का खंडन करना चाहता हूं। उन्होंने कहा कि हमें डर है, चीफ जस्टिस के एप्वाईंटमेन्ट को प्रेसीडेन्ट पर नहीं छोड़ना चाहिए। (**व्यवधान**) घटना में प्रेसीडेन्ट को ही अधिकार है एप्वाईंट करने का। तो आप मुझे बतायें बाकी के जजेज के जो एप्वाइन्टमेन्ट किय जाते हैं, राज्यों में उच्च न्यायालयों के मुख्य न्यायाधीशों की नियुक्ति की जाती है उनको करते समय आज के कानून के अनुसार यह कहा गया है कि जहां पर प्रेसीडेन्ट को आवश्यक लगे, वहां वे सलाह लेंगे लेकिन

[श्री बसंत साठे]

उन पर यह बन्धन तो नहीं है कि उस सलाह को उन्हें मानना ही होगा या उसी व्यक्ति को नियुक्त करना पड़ेगा। आज भी नियुक्तियों के सम्बन्ध में कई उदाहरण दिए गए कि अभी तक अनेकों बार कनिष्ठ न्यायाधीशों को वरिष्ठ मुख्य न्यायाधीश बनाया गया, अनेकों राज्यों में ऐसा हुआ उस वक्त शिकायत नहीं की कि न्यायपालिका की स्वतन्त्रता नष्ट हो जायेगी तो फिर अब मुख्य न्यायाधीश की नियुक्ति में जबकि घटना में राष्ट्रपति को नियुक्ति करने का अधिकार है, आप ऐसा क्यों कह रहे हैं ? वास्तव में हो यह रहा है, चूंकि ऐसे लोग जो जानबूझ कर घटना के खिलाफ काम कर रहे थे, न्यायादान का भ्रष्टाचार कर रहे थे, ऐसे लोगों को मुख्य न्यायाधीश न बनाते हुए सुपर्सीड कर दिया गया और मैं तो कहता हूं, सरकार कहे या न कहे, जिन लोगों ने जानबूझ कर पूंजीपति, सर्मायेदार जोकि प्रगतिशील कदमों में रोड़ा अटकाने की बात करते थे उनका पक्ष लिया तो ऐसे न्यायाधीशों को हटा दिया, उन पर यह विश्वास नहीं किया कि वे मुख्य न्यायाधीश बन सकते हैं इसलिए सरकार ने इसमें कोई अनुचित बात की, ऐसा मैं नहीं मानता। उल्टे अगर सरकार यह न करती तो अनुचित होता। इसलिए आपकी कोई भी बात बन नहीं पाती। इस देश की सारी जिम्मेदारी पार्लमेन्ट पर डाली है जिसको जनता ने चुना है कि वह ऐसे कानून बनाये जिससे देश आगे बढ़ सके, गरीबी अमीरी का फासला कम हो सके तो यह सारा काम कौन करेगा ? यह काम करने का अधिकार इस सदन को है जिसको लोगों ने चुना है। तो मेरा कहना है कि इसमें सरकार पर उत्तरदायित्व आता है कि न्यायाधीश भी ऐसे हों जोकि देश की प्रगति में रोड़े न अटकायें। यह सारे हमारे आगे बढ़ने के कदम हैं। इसलिए यह सारे तर्क जो दिए गए और यह भय दिखाया गया कि इससे जुडीशियरी की इन्डेपेन्डेन्स नष्ट हो जायेगी वह बिल्कुल निराधार है ऐसा मेरा कहना है।

ऐसी स्थिति में यहां पर यह जो विधेयक रखा गया है उसका कोई भी अर्थ नहीं है, वह बिल्कुल निरर्थक और बेबुनियाद विधेयक है और मेरा ऐसा विश्वास है कि यह सदन उसको रद्द कर देगा।

श्री बी० पी० मोय (हापुड़) : आदरणीय सभापति जी, जब जब इस सदन में, इस सदन के बाहर संविधान के चौथे अध्याय पर, यूनियन जुडीशियरी से सम्बन्धित चर्चा होगी तब स्वर्गीय श्री कुमारमंगलम् की याद अवश्य आयेगी।

दुनिया के जो मजे हैं हर्गिज यह कम न होंगे।

चर्चे यही रहेंगे अफसोस हम न होंगे।

वह मानवता का प्रतीक समाजवाद का द्योतक, समता से प्रेरणा लेकर जनतंत्र में विश्वास रखते हुए जनता को इन्साफ दिलाने वाला सेनानी आज हमारे बीच में नहीं है।

एक बिल हमारे मित्र श्री अटल बिहारी वाजपेयी लाये हैं कि संविधान के आर्टिकल 124 में संशोधन कर दिया जाये। आर्टिकल 124 के क्लाज (1) के बाद उन्होंने यह जोड़ने की बात कही है :

The seniormost judge of the Supreme Court of India shall be the Chief Justice of India.

इसके लिए उन्होंने तर्क दिए हैं। उनके दो तीन तर्क हैं। पहले उनका कहना यह है कि संविधान मौन है सुप्रीम कोर्ट के चीफ जस्टिस की नियुक्ति के ऊपर दूसरा उनका तर्क यह है कि उसमें एक एम्बिगयुइटी है और उससे सरकार अपने पक्ष को ज्यादा मजबूत करने के लिए ऐसे जज की नियुक्ति कर सकती है जो जुडीशियरी की आजादी को खतरा पैदा करे। मैं, यहां पर राजनीतिक भाषण जो

हुए उन पर न जाते हुए कुछ क्षणों के लिए संविधान तक ही सीमित रहूंगा संविधान की धारा 124 में है :—

Every Judge of the Supreme Establishment and the Constitution of the Supreme Court"
then he can be appointed as a Judge

यह सुप्रीम कोर्ट में किस तरह से उसका निर्माण होगा इसी पर आधारित है ।

"There shall be a Supreme Court of India consisting of a Chief Justice of India, until Parliament by law prescribes a larger number, of not more than thirteen other Judges.

Every Judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal after consultation with such of the Judges of the Supreme Court and of the High Courts in the States as the President may deem necessary for the purpose and shall held office until he attains the age of sixty-five years."

"Provided that in the case of appointment of a judge other than the Chief Justice, the Chief Justice of India shall always be consulted."

संविधान निर्माताओं ने चीफ जस्टिस की अनुमति किस तरह से हो यह साफ किया हुआ है । इसके बावजूद भी बाजपेयी जी कहते हैं कि चीफ जस्टिस की नियुक्ति के बारे में संविधान मौन है । चीफ जस्टिस की किस तरह से नियक्ति होगी आर्टिकल 124 में उन्होंने कहा है :

Every Judge of the Supre Court".

यह कहना कि संविधान मौन है समझदारी से इसका कोई सम्बन्ध नहीं है ।

"Every judge" includes the Chief Justice also.

आगे चलकर संविधान ने इसको और साफ किया है । जहां तक कोई हाई कोर्ट और सुप्रीम कोर्ट के जजों की नियुक्ति का प्रश्न है, राष्ट्रपति चीफ जस्टिस से मशविरा करें । प्रविसो दिया हुआ है :

"Provided that in the case of appointment of a judge other than the Chief Justice, the Chief Justice of India shall always be consulted."

जिस समय चीफ जस्टिस का एप्वाइन्टमेंट होगा उस समय चीफ जस्टिस को कंसल्ट नहीं किया जायेगा । बाजपेयी जी का कहना यह भी था कि चीफ जस्टिस को पूछा भी नहीं गया । संविधान में दिया हुआ है कि जिस समय जीफ जस्टिस की नियुक्ति होगी तो राष्ट्रपति के लिये यह गाईडिंग फैक्टर है कि वे चीफ जस्टिस से कोई मशिवरा उस समय नहीं लेंगे ।

चीफ जस्टिस की नियुक्ति के बारे में अगर बाजपेयी जी का तर्क यह है कि संविधान मौन है तो मैं कहूंगा कि इस कथन में सत्यांश कम है और राजनीति ज्यादा है । उन्होंने यह भी कहा कि यह जो नियुक्ति हुई है, राजनीतिक नियुक्ति हुई है । अब उस दल दल में मैं ज्यादा नहीं जाना चाहता । बहुत चर्चा इस पर हो चुकी है । मैं नहीं चाहता हूं कि सुप्रीम कोर्ट का एक विशेष स्थान हमारे देश के संविधान में है, उसके बारे में इस तरह के शब्द आयें कि जिससे हमारी कंट्रोवर्सी और बढ़े । यह तर्क उस समय भी उनका था जिस समय पहले चर्चा हुई थी । सीनियर मोस्ट को बनाने की परम्परा रही है, यह उनका कथन था । मैं संविधान की धारा 126 को

कोट करना चाहता हूं कि किस तरह से चीफ जस्टिस की नियुक्ति होगी :

"When the office of the Chief Justice of India is vacant or when the Chief Justice is, by reason of absence or otherwise, unable to perform the duties of his office, the duties of the office shall be performed by such one of the other judges of the Court as the President may appoint for the purpose."

So, any of the judges can be appointed as the acting Chief Justice.

ये तर्क तो कभी सुप्रीम के जजों से भी नहीं रहे। जो इस चर्चा में बहुत ज्यादा दिलचस्पी लेते रहे हैं उन्होंने भी सीनियरिटी के क्राइटीरिया को नहीं रखा है। पहले भी अटल जी के दिमाग में यही था कि जो सीनियर मोस्ट हो वही चीफ जस्टिस होना चाहिये और अब भी जो वह यह बिल लाये हैं तब भी उनके मन में यही विचार बहुत तेजी से आ रहा था कि सीनियर मोस्ट जज जो हो वही बने। संविधान की धारा 124 में जो लाइन वह जोड़ना चाहते हैं ऐसा अगर मान लिया जाये तो 126 धारा को वह एक दम काट डालेगी, उसके खिलाफ जाएगा : जो बिल वह लाये हैं वह सेल्फ कंट्रेडिक्टरी है, सेल्फ डिफीटिंग है। जब तक आर्टिकल 126 को न छुआ जाये उनके बिल के आधार पर आर्टिकल 124 का संशोधन नहीं हो सकता है।

सीनियारिटी के बारे में एक और तथ्य मैं कह देना चाहता हूं। अब हाई कोर्ट या सुप्रीम कोर्ट के जजों के बारे में चर्चा हो रही थी और यह हो रहा थी कि किस को बनाया जाये, किस तरह से बनाया जाये तो इस चर्चा में श्री कामत ने एक संशोधन रखा था कि यही नहीं कि एक वकील को सुप्रीम कोर्ट का जज बनाया जाये, यही नहीं कि हाई कोर्ट में से सुप्रीम कोर्ट में बनने के लिये जज चुने जायें बल्कि उन्होंने रखा था कि अगर कोई जाना माना जूरिस्ट है, देश में विशेषज्ञ हैं, देश में विशेषज्ञ है तो उसको भी सुप्रीम कोर्ट का जज बनाया जा सकता है। उनके इसी सुझाव पर आर्टिकल 124 में सब क्लाज सी जोड़ा गया था :

"is, in the opinion of the President, a distinguished jurist".

then he can be appointed as a Judge of the Supreme Court.

अगर सीनियारिटी को ही क्राइटीरिया माना गया होता तो पूरे संविधान के इन आर्टिकल्स में जो हम देखते हैं उनको न देखते। सीनियारिटी को क्राइटीरिया नहीं माना गया है। दो तर्क बहुत तेजी के साथ दिये गये हैं। जहां तक राजनीतिज्ञ बातों का सवाल है एक बात मैं कहूंगा। परम पूज्य बाबा साहेब अम्बेडकर ने कहा था कि देश में आजादी के आने पर इस देश में तीन तरह की गुलामी थी, राजनीतिक, आर्थिक और सामाजिक। 15 अगस्त, 1947 को देश आजाद हो गया उसके बाद जो बालिग थे, स्त्री पुरुष, बूढ़े जबान, गरीब, अमीर, पढ़े लिखे, किसी भी धर्म, जाति और भाषा के सम्बन्ध में रखते थे, सब को बराबर के राजनीतिक अधिकार प्राप्त हो गये। इस तरह के रानजीतिक विषमता तो समाप्त हो गई। लेकिन संविधान लागू होने के बाद भी आर्थिक और सामाजिक बाराबरी, आर्थिक और सामाजिक विषमता है। आज सुप्रीम कोर्ट के 23 साल के फैसलों को उठा कर देख लें। जिस समय व्यक्ति विशेष की आजादी की बात आती है उस समय फैसले कुछ और होते हैं लेकिन जिस समय आर्थिक विषमता दूर करने की बात आती है, सामाजिक विषमता दूर करने की बात आती है उस समय वही विशेष शक्तियां, वही सत्ताधारी लोग, वही लोग जिनके पास धन है, समाज में सम्मान

(श्री बी० पी० मोर्य)

है, उनके हक में ज्यादा सुप्रीम कोर्ट के फैसले आपको मिलेंगे। चाहे कोई भी सरकार हो, हमारी हो या लिमये जी की ही पार्टी की हो या किसी भी दूसरी पार्टी की हो या आगे बने जहां तक संविधान के इन्टरप्रेटेशन का सवाल है, ऐसे जजों की नियुक्ति होनी चाहिये जिनके सामने हमेशा यह ध्यान रहे कि यह देश जनतंत्रीय है और जनता को ध्यान में रख कर, सामाजिक, आर्थिक विषमता को दूर करने के लिये कानूनों का उन्हें इन्टरप्रेटेशन करना है। इन विचारों वाले जजों की जब तक नियुक्ति नहीं होगी तक तक देश का शोषित सर्वहारा समाज आगे नहीं बढ़ सकेगा। संविधान शोषितों के लिये बना है, जनता के लिये बना है न कि जनता संविधान के लिये बनी है। जनता के हित में संविधान को तोड़ा मरोड़ा जा सकता है लेकिन संविधान के लिये जनता को तोड़ा मरोड़ा नहीं जा सकता है। यह सदन अगर इसको सामने रखेगा तो कोई भी आपस में बहस नहीं होगी, सारी बहस समाप्त हो जाती है। तब इस बिल की कोई आवश्यकता ही नहीं रह जाती है।

श्री मधु लिमये (बांका) : जो बहस एक दफा यहां हो चुकी है उसे मैं दोहराना नहीं चाहता। हम लोगों को विचार यह करना है कि न्यायालयों की स्वतन्त्रता को बनाए रखते हुए हमारे जो सामाजिक आर्थिक और राजनीतिज्ञ उद्देश्य हैं उनको किस तरह प्राप्त किया जाए और न्यायालय के कामकाज में जो त्रुटियां हैं उनको कैसे दूर किया जाए। इसलिए न्यायाधीशों की नियुक्ति के सवाल के बारे में मेरे सवाल से हम लोगों को नए सिरे से विचार करना चाहिए।

एक बहस को यहां पर खामखाह छेड़ दिया गया है। मेरी राय में वह नकली बहस है। एक मौलिक अधिकार बनाम निदेशक सिद्धांत। दूसरी नकली बहस न्यायालय बनाम पार्लिमेंट और कार्यपालिका। ये दोनों नकली बहस हैं। मेरे से पहले श्री साठे साहब ने अपना भाषण दिया।

उन के कहने का यह मतलब था कि जब हम निदेशक सिद्धांतों पर अमल करते हैं, तो सुप्रीम कोर्ट उस में बाधा डालती है। लेकिन मैं श्री साठे से पूछूंगा कि क्या वह सचमुच यह समझते हैं कि निदेशक सिद्धांतों के कार्यान्वयन में सुप्रीम कोर्ट की ही बाधा है। मैं समझता हूं कि सिर्फ सर्वोच्च अदालत नहीं कार्यपालिका और जिस पालियामेंट या कार्यपालिका का विशाल बहुमत है, उन का प्रतिक्रियावादी दृष्टिकोण ही सब से बड़ी बाधा है।

MR. CHAIRMAN: The hon. Member may continue on the next occasion. As the time has been extended for this debate, this debate will go over to the next session.

17.30 hrs.

HALF-AN-HOUR DISCUSSION

DEVELOPMENT OF NUCLEAR WEAPONS FOR DEFENCE OF THE COUNTRY

MR. CHAIRMAN: We now take up the Half-an-Hour Discussion. Shri Samar Guha.

SHRI SAMAR GUHA (Contai): Mr. Chairman, Sir, it is a matter of surprise as also apprehension that when such an important subject, the development of nuclear weapons for defence of the country, is being discussed on the flor of the House, none of the senior Ministers, either Shri Jagjivan Ram or Shri Vidya Charan Shukla, is present here.

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA): I am here.

SHRI SAMAR GUHA: Sir, when ever there is any news about the nuclear blasts in China or about China's capability of making inter-

continental or continental ballistic missiles, there is a flash of news in our country, big headlines in our papers. Recently, also, our Atomic Energy people took much pride because one of the latest, the 15th Chinese nuclear blasts, was first detected through our instrument of Atomic Energy.

Whenever the question is raised, what about the threat from our neighbour who is getting itself equipped with modern nuclear weapons, what is the basis of our security, we hear certain heroics from our Defence Ministry. Every time, they say, "We have got adequate preparation to meet any contingency from any side", meaning even from the side of China.

Such an assurance is utter nonsense. It is a bluff to the country. Anybody having even an elementary knowledge of A.B.C. of nuclear weapons knows that if China unleashed any nuclear attack on the northern complex of our defence, the whole of our northern complex of defence can be knocked down by China within a few minutes. I used the word "heroics", but it is worse than heroics to assure the country that by our mere conventional weapons we can meet the challenge of any potential enemy, of any potential aggression with nuclear weapons or conventional type nuclear weapons.

We must remember that today the word "political power" has become synonymous with the word "nuclear power". The five countries which really wield political power of the whole world today are the nuclear powers,—America, Russia, China, France and U.K. Our Government has done quite well by not signing the non-proliferation treaty. But I could not understand why our country also joined the chorus of condemning the latest French nuclear tests. I feel, with the nuclear monopoly of super powers in blackmailing the whole world community by having certain *detente* between themselves to wield all political power through nuclear power, both China and France are doing service to world community by trying to break that monopoly over nuclear weapons. We should desist from condemning either China or France for the reason that we should not block our option for the future for developing nuclear weapons for ourselves. What is the latest position in the world? From 1956 to 1973, USA undertook 478 nuclear fests or nuclear blasts, Russia—232, Britain—22, France—47 and China—15. These two big powers....

PROF. MADHU DANDAVATE (Rajapur): We blasted their test.

SHRI SAMAR GUHA: These two super powers have developed a peculiar kind of logic for having monopoly over nuclear weapons. The super powers have conveniently brain-washed the people in this and other countries into believing that nuclear weapons are moral for them but are immoral for other countries. In their hands, these nuclear weapons become deterrants and constitute the bulwark of peace but nuclear weapons in others' hands, according to their logic, will lead to a holocaust, a dangerous arms race, etc. It is a tragedy that twenty-six years after the imperialistic rule over us, we are being driven to believe in this kind of logic.

We have to understand to-day that the concept of warfare or the military science has undergone a radical change. The concept of conventional warfare is increasingly becoming obsolete. There are two types of nuclear weapons which have been developed by the super powers. One is the strategic nuclear weapons and the other is the tactical nuclear weapons. The strategic nuclear weapons are likely to be used through the mechanism of missiles, either continental or inter-continental, with warheads, multi-warheads even,

[Shri Samar Guha]

and they have also equipped certain other gadgets like sub-marines with these nuclear weapons which could create disaster. It has also to be remembered that there are tactical nuclear weapons also. Tactical nuclear weapons mean atomic weapons of the Hiroshima type. Not only so, these tactical weapons are being converted into some kind of conventional weapons by the NATO and the Warsaw powers. They are making nuclear guns, atomic mortars, etc. These tactical nuclear weapons are now being employed for the conventional warfare. Not only so, the laser beam is being used to trigger off such nuclear weapons.

As I said, the concepts of tactical war, tactical weapons and the conventional war have undergone a radical change. So, even if there is any conventional war between India and its neighbours, I mean the neighbour equipped with nuclear weapons, then they may not use the strategic weapons against us but if they use even the tactical nuclear weapons in a conventional war. I do not know what is the answer that our country has. As I said, we may have many heroics but the answer is, I repeat again, within a few minutes the whole of our northern complex of defence can be knocked out by China and at such a critical situation we can surrender at the feet of the super powers, but no super power will come to our rescue. This is the position of our country.

We are talking from a very high pedestal with a peculiar posture that we are a nation believing in peace and, therefore, it is our moral principle that we do not want to go into developing nuclear weapons. This is like the logic of a eunuch preaching the morality of *brahmacharya* or this is like that kind of debate on discrimination of violence and non-violence when a fish-eater argues with a meat-eater that 'I am more non-violent than you are'. If we use the conventional weapons, then what right have we to say 'No, we will not use tactical nuclear weapons on ethical ground? Tactical weapons include nuclear weapons also as part of recent development of the concept of conventional weapons.

I know it is not easy to go into the development of nuclear weapons overnight. In this House I have raised Debate on nuclear blasts and nuclear weapons many times. For the last three years the Government said that India has undertaken the policy that if need be, for the peaceful purposes, India will undertake nuclear blast test. But uptil now no preparations were made. For the last three years no preparations were made, for it no reasonable arguments were given. The question of ecology or identification of geological strata is often revised. We have not yet undertaken any preliminary experiments just to get ourselves acquainted with the nuclear blast technology what to speak of using it for effective purpose. It is very clear to us that the fissile materials or the nuclear fuels that we get from Apsara or Tarapore or from Ranapratapsagar cannot be used by us, because, we are bound by the contract with Canada. We cannot use this material although we have the capability, if we can, if we wish, if we dare. We have the capability for making at least one dozen and a half of Hiroshima-type tactical nuclear weapons. We have that much of fuel resources. But we are not free. But we have no free fuels. That point must be clearly understood, this is the main reason why we are not in a position to undertake preliminary nuclear blast test. The country should not be hoodwinked by saying that we can do it, but for ecological, geological and other reasons we are not undertaking it.

There was a national debate in the year 1970 on nuclear weapons. This debate was organised by the Parliamentary Scientific Committee as also the Institute of Defence Studies and Analysis. Those who participated

there included Members of Parliament, eminent scientists, academicians, ex-servicemen etc. The overwhelming opinion, barring from a minor few, was that India should go to develop nuclear weapons and for that we should make a start, we should start with the preparatory works to set up allied industrial and technological complex.

I am not advocating for any sort of crash programme for developing tactical, what to speak of, strategic nuclear weapon.

Some people say, is it possible for a country like ours to develop nuclear weapons from the economic point of view? I will not go into much argument about it, but I want to say this. Is it not an utter shame for any one in this country where black money transactions were well worth Rs. 7000 crores four years ago and above Rs. 10,000 crores now, (and consequently the tax evaded may be of the order of Rs. 1500 crores per annum) and where the smuggling is of the order of Rs. 400 crores per annum, to say, 'this country cannot afford a weapons programme for economic reasons'? Anyone who repeats this argument will condemn himself as one who has no commitment to the nation and its security and who values superficially the sovereignty of this country.

Sir, soon after the seminar mentioned earlier, Dr. Sarabhai prepared a Ten-year Profile for Development of Atomic Energy in our country. In this House we don't get any opportunity to discuss the nuclear programme.

Sir, I was a Member of the Atomic Consultative Committee for many years. I do not know why, this year, I was dropped. I raised the question again and again and for the last four years, it is being dodged once and again. Dr. Sarabhai is no more with us. He wanted to quickly adopt the draft 10-year Atomic Profile for creating requisite background, a certain technological background had to be created. And for that Dr. Sarabhai's Ten-year profile—Ten-year Atomic Plan—had to be adopted. Uptil now, it has not been done. I request once again the Minister of Defence—of course he will say that it is not his subject, but to us, it is a more important point—to understand when the draft plan will be accepted. Anybody having the knowledge of Nuclear Science would want to know the difference between the blast for peaceful purpose and the blast for developing tactical or strategic nuclear weapons. They will say that the distinction between the two is like the distinction between twedledum and tweedledee. If you adopt the experiment for peaceful purpose, the next day you can develop the same technique for developing nuclear blast and if possible, the nuclear weapons. For many years this plan has been dodged. The tragedy is that India is known to be the 13th nuclear power country of the world. And you will be ashamed to know that the criticality of the first Chinese Reactor was after India's India's reactor reached criticality much earlier than China. Where is India to-day and where is China? What are the reasons for this?

MR. CHAIRMAN: Now you will please conclude because you are going towards China.

SHRI SAMAR GUHA: I am concluding now. I know that we are not in a position, although we are being bluffed, of being told this categorically. We should be told clearly as to why we are not able to do this. Is it due to restrictions imposed on the nuclear fuel that we are preparing? We are preparing nuclear fuel in Apsara; we are preparing in Tarapur; we are also preparing it in Rana Pratapsagar but we are not free to use them. You should say categorically that it will be used for the peaceful pursose only. But, we cannot undertake the nuclear experiments—underground blast.

[Shri Samar Guha]

About Ranapratap Sagar, Second Phase or even Kalapakkam, we are again not free. The French is coming in for Kalapakkam Project. I do not know whether we will be free to get the Canadian aid for Ranapratap Sagar-II phase. It is absolutely necessary for the development of nuclear weapons at least for our future generation, a certain technological complex has to be developed. I know that within a few years it is not possible to prepare the tactical nuclear weapons, what to speak of strategic weapons. We cannot even prepare the tactical nuclear weapons. I once again urge upon the Defence Ministry to create a pressure upon the Ministry of Planning at least to see that the profile that was prepared by Dr. Sarabhai be made use of and prepare a background of atomic technological complex for development of nuclear weaponry. If we choose the option of development of nuclear weaponry for our country, at least a ten year profile that was prepared by Dr. Sarabhai should not be made to be dodged indefinitely but it should be accepted by the Planning Commission and grounds prepared so that if there is any necessity, India can go to the extent of developing the nuclear weapons.

श्री मूलचन्द डागा (पाली): मिस्टर के सुब्रह्मण्यम डायरेक्टर आफ दि इंस्टीट्यूट आफ डिफेंस स्टडीज ऐंड एनालिसिस ने कई बार इस बात की सिफारिश की है कि भारत सरकार को परमाणु बम बनाने चाहिए। जो इस प्रकार के टकनिशियन्स है, जो इस प्रका की नोलेज रखते है जो इसमें विशेषज्ञ हैं उनकी बात को आप मानते हैं या नहीं ? या क्या आप कि यह नीति है कि परमाणु बम बनाना हिंसा है ? अगर यह नीति हो तो हमे वह मालूम होना चाहिए। आप इस बात को साफ कहिए कि क्या परमाणु बम बनाना आप की दृष्टि में हिंसा है ? आप के जो टैकनिशियन्स हैं, जिन को आप ने खुद एम्प्लाय किया है और जिनकी इस बात में नौलेज है वह चार बार आप से इसके लिए कहते हैं फिर आप उसको क्यों नहीं मानते हैं ? या क्या आप यह समझते हैं कि हमने रशिया से दोस्ती कर ली है, उस दोस्ती के कारण आप को यह अभिमान हो कि जिस वक्त पर चाइना से हमला होगा तो आप को रशिया से मदद मिल जायगी, आप इस पर निर्भर करते हैं या अपने पैरों पर खड़े होना चाहते हैं ?

PROF. MADHU DANDAVATE (Rajapur): Sir, according to rules, I will ask only three specific questions. Firstly, the question of expenditure is always brought into the picture.

As far as atomic weapons are concerned, I would like to know whether the Ministry is aware of this fact that the paper on atomic energy prepared by late Dr. Bhabha has catogorically stated that the total expenditure that is likely to be incurred for the production of a stock-pile of fifty atom bombs of 2 mega ton weight is likely to be Rs. 10 crores and that for a similar stock-pile of 50 hydrogen bomb with 2 mega ton weight we will incur an expenditure of Rs. 15 crores.

Secondly, I would like to know whether Government would be inclined to accept the fact that whether we go in for harnessing of atomic energy for nuclear technology or for manufacture of weapons, since the initial six or seven processes are quite common, we can keep our nuclear options and proceed with all the initial processes so that, keeping the nuclear options open, at some stage if we take the decision then in that case that option would be feasible.

Thirdly, whether we decide to go in for nuclear weapons or not, should we go out of the way to assure our neighbours that we have made up our mind not to go in for any nuclear

weapons and in a way give them an assurance of safety and security or in the alternative, should we give a feeling to our neighbours that we have kept our nuclear options open, and if we so choose, at some stage, we may go in for manufacture of weapons?

श्री शिवनाथ सिंह (झुंझनूं) : सभापति जी, आणविक शस्त्रों के निर्माण के सम्बन्ध में हमारी सरकार की नीति क्या हो—इसके सम्बन्ध में आपने अपने जवाब में कहा है—(ए) नो सर (बी) डज नौट एराइज । मेरे ख्याल से इस प्रकार का जवाब देकर आपने एक बन्धन लगा दिया कि कभी भी हम आणविक शस्त्रों के निर्माण की तरफ ध्यान नहीं देंगे । मैं मानता हूं हमारी नीति शान्ति की नीति है, हम शान्ति में विश्वास रखते हैं, लेकिन हमारी नीति निर्भर करती है, हमारे पड़ौसियों पर । जब चाइना इस दौड़ में आगे बढ़ने की कोशिश कर रहा है, कल पाकिस्तान भी कोशिश कर सकता है, क्योंकि पाकिस्तान ने इंकार नहीं किया है, उसने नहीं कहा है कि वह आणविक शस्त्रों के निर्माण की तरफ़ ध्यान नहीं देगा । इस प्रकार के जो हमारे पड़ौसी हैं, जिन से हमारे सम्बन्ध अच्छे नहीं हैं—हम चाहते हैं कि हमारे सम्बन्ध अच्छे हों, लेकिन उस के बावजूद भी वे इस दौड़ में आगे बढ़ना चाहेंगे ऐसी स्थिति में क्या हमारी सरकार चाहती हैकि हम कभी भी आणविक शस्त्रों के निर्माणकी ओर ध्यान न दें ?

मैं इस लिये ऐसा निवेदन कर रहा हूं—हो सकता है आप के पास ऐसे साधन हों, हम उनका इस्तेमाल न करें, लेकिन ताकत का मुकाबला ताकत से होता है, कमज़ोर और ताकत का मुकाबला नहीं होता है । इसलिये मैं पूछना चाहता हूं कि जब हमारे पड़ौसी आणविक शस्त्रों की ताकत कायम करना चाहते हैं तो उसके मुकाबले की ताकत हम पैदा करना चाहते हैं या नहीं ?

आप कह सकते हैं कि हमारी आर्थिक स्थिति ऐसी नहीं । लेकिन आर्थिक स्थिति के न होते हुए भी क्या देश के डिफेन्स के लिये सरकार ऐसा करने के लिये तैयार हैं कि हम अपने डिफेन्स को खो देंगे । चाइना ने हमारे बाद स्वतन्त्रता प्राप्त की, लेकिन उसका माइण्डा इस ओर था और वह इस दिशा में आगे बढ़ रहा है । हमारी आर्थिक स्थिति ज्यादा खराब होने की वजह से क्या हम हमेशा के लिये इस चेप्टर को क्लोज करना चाहते हैं या ओपन रखना चाहते हैं ? हम इस बात को कहें कि हम आणविक शस्त्रों को उपयोग नहीं करेंगे लेकिन कैपेसिटी डिवेलप करने में पीछे नहीं हटना चाहिये ताकि जब आवश्यकता हो तो हम उससे काम ले सक । मैं जानना चाहता हूं क्यासरकार इस चैप्टर को ओपन रखना चाहती है ?

SHRI C. K. CHANDRAPPAN (Tellicherry): Considering the fact that there are million of people in this country who are unemployed, illiterate and hungry, what will be the preference of Government in relation to spending money? Will it be for nuclear weapons or for meeting the basic necessities of our people?

Secondly, an impression has been given here that political power is synonymous with nuclear power, a very strange philosophy, I should say.

SHRI SAMAR GUHA: It is the reality today.

SHRI C. K. CHANDRAPPAN: He may think so. I do not agree.

The fact has been so much revealed in the morern world—recent experience of mankind confirms this—that a nuclear power armed to the teeth like the US could not defeat a small country like Vietnam with all their nuclear threats. Even though they sent a nuclear-powered aircraft carrier to the Bay of Bengal, it had no effect on the people of Bangladesh and their liberation struggle. These are all facts of life

[Shri C. K. Chandrappan]

Thirdly, what exactly are Government's plans in relation to the use of nuclear power for peaceful purposes and devleopment? Lastly, what will be the attitude of Government in signing the nuclear non-proliferation treaty?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA): The hon. members who have pleaded for our copying the Chinese example as far as nuclear weapons are concerned should be quite clear in their minds that once we start copying China in this respect, the copying will not end there.

SHRI SAMAR GUHA: It is not a question of copying, but of assuring out national security. It is the reality. I have not said 'copying'.

SHRI VIDYA CHARAN SHUKLA: Let him hold his patience and listen to my arguments. He has been saying that China has done it and we should sale do it.

SHRI SAMAR GUHA: No, I only talked about assuring our national security.

SHRI VIDYA CHARAN SHUKLA: I am only trying to impress on the hon. member and the House that if the Chinese have done certain things in their defence strategy, if they have undertaken a certain nuclear policy and development, they have done so against a certain background of the economic policy, social structure and political system they have evolved for themselves. The defence policy or the policy of developing nuclear weapons followed by China cannot be divorced from what she has done in other fields. Therefore, when we are looking at this, I would request hon. members to look at it from the viewpoint purely of our national interests. We should take into account what we are and what we are going to be, what our national aims are. Are our national aims the same as China's? What is our national aim? Of course, we want to defend and protect ourselves; we do not want to submit to nuclear blackmail of any kind. We are not looking for a nuclear umbrella from any other country. But the hon. member must realise that after the most barbaric happenings in human history perpetrated on Hiroshima and Nagasaki, not one war has been won by those nations who possessed nuclear weapons against other countries who did not possess them; they have always lost that war. You can see the logic of the situation (*Interruptions*). We must see what kind of situation we face here and what are the situations we are likely to face.

18 hrs.

It is very easy to say that we should have nuclear weapons but if they go deeply into the question and not consider it in a superficial manner, I am quite sure that Profs. Samar Guha and Dandavate and many other knowledgeable and intelligent members will come to the same conclusion that Government have come to, that we must have a practical and pragmatic approach to this problem.

I am quite one with Prof. Dandavate when he says that we should keep our nuclear options open. We have; we have not closed them. We have joined no such treaty which bars us from taking another view at any time we like. What we have stated in the House is our present policy. The present policy is dictated by the short term and long term national interests. My time is very limited and I do not want a running commentary from Shri Samar Guha.... (*Interruptions*). He should behave with the dignity which he always maintains in this House. When he was giving his views I did not interrupt him and I am now giving my views.

MR. CHAIRMAN: I would remind Shri Samar Guha that when he was speaking Members who did not agree

with his view did not interrupt him and now he should not interrupt the Minister. If any pertinent question is left unanswered we shall see afterwards.

SHRI VIDYA CHARAN SHUKLA: I am pleading with the hon. Members who want India to go in for nuclear weapons to consider this matter deeply. If they are particularly interested I offer to arrange a meeting with our scientists and experts and we can discuss this matter thoroughly. They can put forward their viewpoints and scientists and other experts can put forward their viewpoints. These are not matters which could be discussed publicly in detail. I was saying that our policy was to keep our options open and use nuclear power for peaceful purposes.

The basis of our security has been questioned. everybody knows the basis of our security. If you go to the root of the matter the point is not whether we possess nuclear weapons or not. Really the industrial and economic strength of the country is the basis of the security of nation. Only after that other thing comes. I cannot accept this argument that we can be coerced by nuclear black-mail. Taken to its logical conclusion it would mean that any country which has any difference of opinion with a nuclear power must develop nuclear capability of its own. Otherwise it must submit to the nuclear blackmail of those countries. It is not and it cannot be the situation in the modern world. Therefore we do not accept the theory that China can blackmail us by developing nuclear capability.

The cost factor has been referred to. That is not an extremely important consideration. If national security and national interest demand, any amount of money can be spent. But since this question has been raised I should point out that a team of experts appointed by the United Nations which went into this question to find out the minimum cost for acquiring a credible nuclear force reached the conclusion that for acquiring a modest or elementary nuclear capability 1700 million dollars will have to be spent by a country. That is the opinion of experts, not of countries which are interested in keeping other countries non-nuclear,....

PROF. MADHU DANDAVATE: Dr. Bhabha's figure excluded the delivery system.

SHRI VIDYA CHARAN SHUKLA: I am not going into Dr. Bhabha's figure. I do not know whether the figures quoted by hon. Members are correct or incorrect.

PROF. MADHU DANDAVATE: That was the paper read in the Geneva Conference.

SHRI VIDYA CHARAN SHUKLA: That was a long time back. This matter, besides, is not dealt with by me and therefore, I cannot either confirm or deny the figure that he quoted. 1700 million dollars is the cost that has been estimated. Apart from this initial cost, if we want to keep pace with the technological advancement, we have to spend increasing amounts of money. Then to develop and maintain a delivery system is even costlier. Once you start riding the tiger, you cannot get off. I dare say that if hon. members who understand these matters go into the long-term cost, they themselves will realise that it does not appear advantageous today our country to embark on this policy of nuclear armament. Therefore, at least for the present, it does not appear to us that the policy advocated by Prof. Guha will be in the national interest for us to follow. I am not taking the plea of morality; I don't think anybody should take that plea here. The main thing is the question of national security. Every other consideration is subordinate to it.

[Shri Vidya Charan Shukla]

Therefore, even on these two considerations, I am justifying the present policy because on these considerations alone our present policy is based. Therefore, I would say that the policy we are following today is the best policy in the circumstances. It is not jeopardising our security nor are we submitting to any kind of blackmail either present or future.

Suppose for argument's sake we develop some kind of nuclear capability and spend several billion dollars worth of money every year. We may never use it. Probably that is what is likely to happen; just as other nations have not been able to use it after 1945, we also may not be able to use it. After spending hundreds of crores every year on developing and maintaining the delivery system, etc., still the conventional army, navy and air force cannot be given the go by. They will also have to be developed and maintained intact. I do not think it is the argument of any hon. member that once you develop nuclear capability, we can write off the army, navy and air force. So, maintaining this defence budget which is already quite heavy plus developing and maintaining a nuclear delivery system in case we embark on it, is something which I do not think is in national interest. I would earnestly plead with hon. members not to be guided by sentimental reasons. They must take the hard facts of life into consideration. They must take the international situation into account. They should see the history of nuclear weaponry, how those who have nuclear weapons are faring, how even countries like U.K. and France have fared in the race for nuclear weapons. Their economy has had tremendous burdens and they are falling out of the race today because they feel it is not in their national interest to keep on doing it. France has recently exploded some nuclear device and, as the hon. Members know, our Judge in the World Court voted against this blast not only because of moral considerations but because of practical considerations. We feel that the present policy that we are following is not only in the national interest but it is in the best interest of all concerned in the world. Our national security and national interests are not at all jeopardised by the policy that we are following at present.

SHRI SAMAR GUHA: I am thankful to the hon. Minister that he agreed with me that the options should be kept open. But we cannot develop a nuclear weapon suddenly within a year. Dr. Sarabhai prepared a ten-year profile for the development of atomic energy in this country. I want to know what steps the Government is going to take to carry out the ten-year profile that was prepared by Dr. Sarabhai. The estimates given by the United Nation experts are absolutely irrelevant to Indian conditions; it is much less according to the Indian experts. May I know whether the attention of the Government has been drawn to that opinion given by Indian experts and atomic scientists?

MR. CHAIRMAN: The House stands adjourned to meet again at 11 A.M. on Monday.

18.13 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 27, 1973/Bhadra 5, 1895 (Saka)

MGIPND—PMR—1675 LS—2546—27-11-73—1010.